

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND PHILLIP HAUSKNECHT, LUTHERAN CHURCH (RETIRED)
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, L.B. McDONALD, WEEKLY, MACK, and MONCRIEF

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Parkway

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(9:07 – 9:08)

1-1

REVEREND PHILLIP HAUSKNECHT, Lutheran Church (retired), gave the invocation.

(9:08 – 9:10)

1-22

MAYOR GOODMAN led the audience in the Pledge.

(9:10 – 9:11)

1-90

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE EMPLOYEE OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

MARK VINCENT, Director, Finance and Business Services joined the Council in honoring JOHN PFEIFFER, Senior Financial Analyst, as Employee of the Month for November. MAYOR GOODMAN stated that MR. PFEIFFER has been employed with the City since 1987, and he consistently exhibits outstanding performance through his proactive delivery of customer service, assistance to fellow workers, and the undertaking of special assignments. He has been labeled as the "quiet leader" by some of his previous managers and fellow employees look to MR. PFEIFFER for process direction and technical coaching on a daily basis. MR. PFEIFFER sets the bar high for job performance through consistent, effective, and efficient government service. His efforts have made the City a more efficient and well-organized place to serve our citizens.

MR. VINCENT said that MR. PFEIFFER is a wonderful asset to the City. He always gets the job done in time and helps others, despite his significant workload. MR. VINCENT recalled that when he started to work with the City during a budget cycle, he was very nervous. DEPUTY CITY MANAGER HOUCHENS referred him to MR. PFEIFFER to guide him through the process.

MR. PFEIFFER, who was accompanied by his wife CARIDAD, son ANTHONY, and daughter FRANCESCA, commented that he is very grateful for this honor, his job, and many of God's blessings. He works with a great team. He gave special thanks to CANDACE FALDER, Budget Manager, for nominating him.

(9:11 – 9:16)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF FORMER LAS VEGAS PLANNING COMMISSIONERS CRAIG GALATI AND STEPHEN QUINN

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted after the meeting: copies of the proclamation to MR. GALATI and MR. QUINN honoring and recognizing them

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward ROBERT GENZER, Director, Planning and Development, to recognize former Las Vegas Planning Commissioners CRAIG GALATI and STEPHEN QUINN for serving a combined total of 13 years on the Planning Commission. Planning Commission meetings are held twice a month on Thursday evenings and sometimes run into Friday mornings. But all of the members spend additional time behind the scenes reviewing staff recommendations and reports and visiting the sites being considered. Their role as a recommending body to the Council is probably one of the toughest positions anyone can have as a volunteer. MR. GENZER presented MR. GALATI and MR. QUINN with a plaque from Planning and Development and a proclamation from the Council.

MR. GALATI said it was an honor and a joy to serve on the Planning Commission. MR. QUINN commented that despite the hours he put in he had a lot of fun serving. He thanked former COUNCILMAN McDONALD for allowing him the privilege of serving.

City of Las Vegas

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Ceremonial

Recognition of former Las Vegas Planning Commissioners Craig Galati and Stephen Quinn

MINUTES – Continued:

COUNCILMAN BROWN interjected that the function of the Planning Commissioners is critical to the decisions of the Council. MR. QUINN devoted so much of his time and took every application very seriously. MR. GALATI was very objective and was the calming and reasoning voice that balanced the perspectives of the residents and the developers. Their professionalism made the Council's job much easier.

(9:16 – 9:22)

1-270

Also, MAYOR GOODMAN welcomed DINA GUINN, the First Lady of the State of Nevada, who was in the audience.

(9:22)

1-457

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE CELEBRITY CITY CHORUS

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILWOMAN McDONALD recognized the Sweet Adeline's Celebrity City Chorus (CCC) and the Wildfire Quartet. She indicated that the CCC was established in 1962 and has nearly 100 members ages 14 to 80. This year, for the first time in history, the Las Vegas Chorus competed in the International Tournament in Phoenix, Arizona. The Chorus placed 12th in the worldwide competition.

DIRECTOR LINDA TAYLOR, Wildfire Quartet, thanked the Council for supporting the Sweet Adeline's effort in Las Vegas. She said it is one of the largest women's organizations. She encouraged women to learn to sing Barbershop, which is a unique American art form of music.

(9:22 – 9:26)

1-470

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

PRESENTATION BY COUNCILWOMAN LYNETTE BOGGS MCDONALD, PAST
PRESIDENT OF THE NEVADA LEAGUE OF CITIES

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILWOMAN McDONALD called forward DOUG LEIN to assist her with this presentation. She indicated that in September 2003 she concluded her tenure as President of the Nevada League of Cities. Before leaving, with the oncoming Las Vegas Centennial celebration, she felt it fitting to insure that the 2005 Nevada League of Cities Conference be held for the first time in Las Vegas. She presented a commemorative coin to the other Council members.

With regard to being selected host City for the Nevada League of Cities Conference in 2005, MR. LEIN indicated that COUNCILWOMAN McDONALD, in cooperation with the City Manager's Office, Administrative Services, and Business Development, prepared a proposal that was presented to the selection committee in September 2003. It was a very competitive process by which the City was selected to host the 2005 Conference. The Conference will be done in conjunction with the Centennial Committee, who will host various tours showcasing new projects.

(9:26 – 9:28)

1-600

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF NATIONAL GEOGRAPHIC INFORMATION SYSTEMS DAY

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted after the meeting: copy of proclamation proclaiming November 19, 2003, as National GIS Day

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN announced that the City, like many cities around the country, was celebrating national Geographic Information Systems (GIS) Day, as seen by the maps displayed around the Council Chambers. He called forward LOUIS CARR, Development Manager for the Information Technologies Department, and RICHARD WELLS, GIS Analyst, to explain why geography and its latest technology are so important and to accept a proclamation for National GIS Day.

MR. CARR thanked the Council for its vision and continued support of GIS technology, which has enabled the City to become one of the premiere cities in the country. In recognition of GIS Day, the City would be giving demonstrations of this technology to students at Charles I. West Middle School in hopes of encouraging them to consider an occupation in this field. MR. WELLS thanked the Council for recognizing GIS Day 2003.

JOSEPH MARCELLA, Director, Information Technologies, interjected that the City has one of the most significant GIS technologies in the Valley. Staff is pleased to be able to share it with the community.

(9:28 – 9:30)

1-662

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF FEED LAS VEGAS DAY

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted after the meeting: copy of proclamation proclaiming November, 20, 2003, as Feed Las Vegas Day

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN indicated that with the holidays approaching many residents would not be fortunate enough to have a home cooked meal. For this reason, the City of Las Vegas decided to take part in a national initiative as part of Feed America Day. Feed America Thursday, created by Nevada SENATOR HARRY REID and Utah SENATOR ORRIN HATCH, asks residents to not eat for two meals the Thursday before Thanksgiving, and then donate the money they would have otherwise spent on those meals to a local food bank. He declared Thursday, November 20, 2003, as National Feed Las Vegas Day.

BESSIE BRAGGS, Executive Director of the Community Food Bank of Clark County, asked all Las Vegas residents to participate in this program and help the Food Bank feed hungry people this Thanksgiving.

(9:30 – 9:33)

1-733

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF COMMUNITY SERVICE IN RADIO

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

To recognize community service in radio, COUNCILMAN WEEKLY presented community awards to the following: CAT THOMAS (his wife accepted on his behalf) – 98.5 KLUC, DAVID LEE – 88.1 KCEP, KELLY KIBLER (unidentified individuals accepted on his behalf) - Wild 102, ANDY KAY - Lotus Broadcasting, GARY COX – 97.5 KVEG, FRANK WOODBECK – V108/105.7 Oasis, and Univision Radio – 103.5 La Nueva / 99.3 Amor / 870 am Recuerdo – DANA DEMERJIAN.

COUNCILMAN WEEKLY indicated that these people truly care about the community, help wherever they can, and try to spread optimism throughout the community. He sincerely expressed his appreciation for their service to the community.

(9:33 – 9:39)

1-846

Before proceeding with Item No. 1, COUNCILMAN MACK thanked those City employees who donated to Street Teens. Moreover, he gave statistics regarding deaths involving vehicle accidents and urged everyone to buckle their seatbelts. A videotape, which was not submitted for the record, of a Public Service Announcement was shown depicting a car accident involving teenagers.

NOTE: COUNCILMAN MACK directed DAVID RIGGLEMAN to work with the State on playing Public Service Announcements on KCLV Channel 2.

(9:39 – 9:42)

1-1036

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and Accept WITHDRAWAL of Item 54 and STRIKE Item 55 - UNANIMOUS

MINUTES:

There was no discussion.

(9:42 – 9:43)

1-1155

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Approval of the Final Minutes by reference of the Regular City Council Meeting of October 1, 2003

MOTION:

REESE – APPROVED by Reference - UNANIMOUS

MINUTES:

There was no discussion.

(9:43)
1-1183

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Approval of an Interlocal Agreement with the Regional Transportation Commission (RTC), Clark County, Henderson, and North Las Vegas that specifies the distribution of the 5 cent County tax levy (\$5,740,000 - Special Revenue Fund)

Fiscal Impact☐**No Impact****Amount:** \$5,740,000☒**Budget Funds Available****Dept./Division:** Finance and Business Services☐**Augmentation Required****Funding Source:** Special Revenue Fund**PURPOSE/BACKGROUND:**

NRS 354.59815 authorizes the County to levy a 5 cent tax for the purpose of capital acquisition or repayment of medium-term financing related to capital acquisition, including land, improvements to land, and major items of equipment. This tax is distributed to each entity per NRS formula. Prior to Fiscal Year 2003, the subject parties had an interlocal agreement to remit their entire share of the tax to the RTC for transportation projects. This Agreement will now remit just 2 cents (40%) for RTC transportation projects, and the remaining 3 cents (60%) will be distributed to each entity per the formula identified in the Agreement. Of the \$5.7M generated by the City's tax base, \$2.3M will be transferred to the RTC, \$1.1M will be transferred to the County for countywide services, and the remaining \$2.3M will be returned for our own capital projects.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Ad Valorem Interlocal Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Administrative

Item 3 – Approval of an Interlocal Agreement with the Regional Transportation Commission (RTC), Clark County, Henderson, and North Las Vegas that specifies the distribution of the 5 cent County tax levy (\$5,740,000 - Special Revenue Fund)

MOTION – Continued:

NOTE: In addition to her abstention on Item No. 27, COUNCILWOMAN McDONALD disclosed that Item 47 involves HELP USA, with which Catholic Charities is a partner. This item does not involve Catholic Charities at all; therefore, she would be voting on this matter. She also disclosed for Items 90, 91, 96, 99, and 100 of the afternoon session that she is an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed these items with Station Casinos nor will her affiliation impact her judgment. She has reviewed these disclosures with the City Attorney. As these items will have no material impact on the company, she will vote on these items.

NOTE: In addition to his abstention on Item No. 28, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

COUNCILWOMAN McDONALD requested Items 12, 48, and 50 be pulled from the Consent Agenda for discussion. COUNCILMAN WEEKLY requested Item 21 also be brought forward for discussion.

MARK VINCENT, Director, Finance and Business Services, pointed out that the correct ward for Item 8 is Ward 1 (Moncrief), not Ward 5 as indicated on the Agenda Summary Page.

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: HUMAN RESOURCES**DIRECTOR: F. CLAUDETTE ENUS**☒**CONSENT**☐**DISCUSSION****SUBJECT:****ADMINISTRATIVE:**

Approval and ratification of the contract between the City of Las Vegas and the Las Vegas Police Protective Association (LVPPA) (\$1.6 Million - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$1.6 Million☐**Budget Funds Available****Dept./Division:** City Manager☒**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

Per the attached Collective Bargaining Agreement Summary, the City has reached a four-year agreement with the LVPPA. General Fund impact of the contract over the 4 years is \$1.6M. Impact on FY04 is \$933,000 (including \$445K retro for FY03). Detention's FY04 budget included \$211K for these costs; therefore, a budget augmentation will be required to cover the additional \$722K in cost. This was due to the addition of two steps or POST Certification Incentive Pay, which had a material impact on the cost and was not anticipated.

RECOMMENDATION:

Ratify all of the provisions of the negotiated agreement of the City of Las Vegas and LVPPA contract.

BACKUP DOCUMENTATION:

Collective Bargaining Agreement Summary

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of accepting the defense tender from the State of Nevada in the matter of Magee v. City of Las Vegas, et al., Eighth Judicial District Court Case No. A469606

Fiscal Impact☐**No Impact****Amount:** \$200,000☒**Budget Funds Available****Dept./Division:** Risk Management☐**Augmentation Required****Funding Source:** Tort Self-Insurance Fund**PURPOSE/BACKGROUND:**

The City of Las Vegas, the State of Nevada, Lowe's HIW, Inc., and Jaynes Corporation were sued for negligence. It is alleged that the Plaintiff, while driving an automobile, was in a collision with another automobile at the intersection of Fremont Street and the driveway to Lowe's. It is also alleged that Jaynes Corporation, on behalf of Lowe's and the City, was constructing a traffic light and that the collision occurred because of negligent construction and barricading. The traffic light under construction was in State right-of-way. The City had secured an encroachment permit, relevantly premised on the City's promise to defend and indemnify the State if there was a lawsuit. In turn, the City's contract with Jaynes contains a provision requiring Jaynes to defend and indemnify the City. If the State's defense tender is accepted, the City will tender to Jaynes.

RECOMMENDATION:

That the City of Las Vegas accept the defense tender from the State of Nevada.

BACKUP DOCUMENTATION:

Tender letter and attached documents

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$62,103,371.01

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 10/16/03 - 10/31/03

Total Services and Materials Checks	\$	11,135,830.52
Total Payroll Checks	\$	10,671,689.22
Total Wire Transfers	\$	40,295,851.27

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to expand the original work scope on the Patriot Park project and allocate \$100,000 in funding made available through reimbursement from the Sanitation Enterprise Fund to the Parks and Leisure Activities Capital Projects Fund for construction of a tennis court - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$100,000☒**Budget Funds Available****Dept./Division:** Finance and Business Services☐**Augmentation Required****Funding Source:** Parks and Leisure Activities CPF**PURPOSE/BACKGROUND:**

The Sanitation Enterprise Fund will be reimbursing the Patriot Park project \$100,000 for sewer line work accomplished as part of the project in the initial stages. Requesting approval to increase the scope of the project to include a tennis court with an estimated construction cost of approximately \$100,000.

RECOMMENDATION:

Staff recommends approval to increase the scope of the Patriot Park project to construct a tennis court.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to modify the original work scope on the Chester Stupak Park/Center project (Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Weekly) (**Note: Correct ward is Ward 1 [Moncrief]**)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Finance and Business Service

☐

Augmentation Required

Funding Source: Parks and Leisure Activities CPF

PURPOSE/BACKGROUND:

The original scope of the Chester Stupak Park/Center project was to expand the basketball courts, remove a pavilion and install a skateboard park. Requesting approval to modify the project to upgrade the kitchen and reception area of the community center and replace/upgrade the air conditioning units in the modular classrooms and upgrade the grass area in the rear of the center.

This project is funded by Community Development Block Grant funds through the Parks and Leisure Activities CPF.

RECOMMENDATION:

Staff recommends approval of the change in project scope.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 3, MARK VINCENT, Director, Finance and Business Services, pointed out that the correct ward for Item 8 is Ward 1 (Moncrief), not Ward 5 as indicated on the Agenda Summary Page.

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to transfer \$75,000 in funding from the Northwest Services Center Drop Ceiling for Service Bay project to the City Hall Restroom Remodel project - Wards 4 and 5 (Brown and Weekly)

Fiscal Impact☐**No Impact****Amount:** \$75,000☒**Budget Funds Available****Dept./Division:** Finance and Business Services☐**Augmentation Required****Funding Source:** City Facilities CPF**PURPOSE/BACKGROUND:**

Further evaluation determined the drop ceiling at the Northwest Service Center is not a viable project. Reallocation of the \$75,000 in funding to the City Hall Restroom Renovation project would allow for the completion of all restrooms and correction of the poor condition of sewer and vent lines contributing to the foul odors within the building.

RECOMMENDATION:

That the City Council approve the reallocation of \$75,000 in funding from the Northwest Service Center Drop Ceiling project to the City Hall Restroom Renovation project.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Family Child Care Home License, Michele Anderson, 8273 Orange Vale Avenue, Michele Anderson, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Family Child Care Home License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Maria Hernandez, Location: East Las Vegas Community Center, 250 North Eastern Avenue, Date: November 29, 2003, Type: Special Event General, Event: Wedding and Reception, Responsible Person in Charge: Lucio Contreros and Joel Vidales - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership for a Tavern License, From: Angel Park, LLC, Orrin D. Vincent, Pres, Jamie K. Cook, Secy, Treas, To: OB Sports F/B Management, LLC, dba Angel Park Golf Club, 100 South Rampart Boulevard, Philip J. Green, Mgr, Mmbr, 50%, Jamie K. Cook, Mgr, Mmbr, 50%, Jeffrey S. Robin, Key Employee - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership for a Tavern License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

L.B. McDONALD – APPROVED subject to a six-month review (7/7/2004) from the date of 1/7/2004 – UNANIMOUS

MINUTES:

Under Item 3, COUNCILWOMAN McDONALD requested Item 12 be pulled from the Consent Agenda for discussion.

ATTORNEY SCOTT EATON, Lionel, Sawyer, and Collins, 300 S. Fourth Street, appeared representing Pacific Life Insurance Company.

JIM DiFIORE, Manager, Business Services, indicated that on 7/2/2003, this application was approved for a temporary license, pending the investigation by the Metropolitan Police Department. The investigation was completed with no area of concern. During this process the discussion ensued with ATTORNEY EATON regarding the parent organization, Pacific Life, coming forward with a person for suitability. The OB Sports Management agreement involves an assignment from Las Vegas Golf I to operate the food and beverage portion of the Angel Park Golf Club. Las Vegas Golf I is the operator of the golf club, other than the food and beverage operation. Because the investigation came out favorably, even though ATTORNEY EATON has indicated that the company may be coming back for consideration of a restructuring, MR. DiFIORE requested the Council consider an extension of the temporary license or an approval of the license as it stands.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Finance and Business Services

Item 12 - Approval of Change of Ownership for a Tavern License, From: Angel Park, LLC, Orrin D. Vincent, Pres, Jamie K. Cook, Secy, Treas, To: OB Sports F/B Management, LLC, dba Angel Park Golf Club, 100 South Rampart Boulevard, Philip J. Green, Mgr, Mmbr, 50%, Jamie K. Cook, Mgr, Mmbr, 50%, Jeffrey S. Robin, Key Employee

MINUTES – Continued:

ATTORNEY EATON explained that his client found itself in the middle of an abrupt management transition and engaged in discussions with the City about six months ago about how to move forward. Those discussions resulted in a two-part approach: to allow OB Sports to operate the food and beverage aspect during the transitional period, and then a long-term solution would be formulated to address both party's concerns. The operating plan is about 95% complete, and meetings will be scheduled with COUNCILWOMAN McDONALD and several key staff members in 2004 to outline the plan. Assuming there are no objections, the necessary applications will be submitted for consideration. He requested this application be approved since there are no concerns.

COUNCILWOMAN McDONALD indicated that she requested this matter be pulled for discussion to allow ATTORNEY EATON the opportunity to clarify the situation. She opted to follow staff's recommendation to extend the temporary license for six months. MR. DiFIORE interjected that the six-month review should be from the date of 1/7/2004. COUNCILWOMAN McDONALD noted that if the restructuring is completed earlier, the matter could be brought back sooner.

There was no further discussion.

(9:43 – 9:45/9:45 – 9:47)

1-1193/1-1360

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, Lucky Champ, Inc., dba Lucky Champ, From: 1420 West Bonanza Road, To: 4030 West Charleston Boulevard, Vinay Bawa, Dir, Pres, Secy, Treas, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Massage Establishment License subject to the provisions of the planning and fire codes, Janice Mastrion, dba Life Style Therapies, From: 8975 West Charleston Boulevard, Suite 190, To: 750 South Rampart Boulevard, Suite 8, Janice R. Mastrion, 100% - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Massage Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Burglar Alarm Service License, CRS Services, Limited, dba CRS Services, Limited, 2545 Chandler Avenue, Suite 4, Steven D. Boyer, Mmbr, 50.5%, Cristina Pazos, Mmbr, 49.5% - County

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Burglar Alarm Service License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Hypnotist License subject to the provisions of the planning and fire codes, LaRue Briggs, dba LaRue Briggs, 4750 West Sahara Avenue, Suite 34, LaRue Briggs, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Hypnotist License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent - Finance and Business Services

Item 16 - Approval of a new Hypnotist License subject to the provisions of the planning and fire codes, LaRue Briggs, dba LaRue Briggs, 4750 West Sahara Avenue, Suite 34, LaRue Briggs, 100%

MINUTES:

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Hypnotist License, Vance Scott, dba Vance Scott, From: 4750 West Sahara Avenue, Suite 34, To: 1581 Windhaven Circle, #A, Vance E. Scott, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Hypnotist License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Massage Establishment and Reflexology Establishment License subject to the provisions of the fire codes, Donna J. Lawrence, dba V.I.P. Massage, 3053 South Valley View Boulevard, Donna J. Lawrence, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Massage Establishment and Reflexology Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Psychic Art and Science License subject to the provisions of the fire codes, Ann Johns, dba Ann Johns, 4011 West Sahara Avenue, #6, Ann S. Johns, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Psychic Art and Science License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Psychic Art and Science License subject to the provisions of the planning and fire codes, Titinia Durham, dba Titinia Durham, 10950 West Charleston Boulevard, Titinia M. Durham, 100% - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Psychic Art and Science License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of revision to blanket purchase order number 216080 for an Annual Requirements Contract for Custodial Services - Department of Field Operations - Award to: BEST JANITORIAL SERVICES OF NEVADA, INC. (\$600,000 - General Fund)

Fiscal Impact☐**No Impact****Amount: \$600,000**☒**Budget Funds Available****Dept./Division: Field Operations**☐**Augmentation Required****Funding Source: General Fund****PURPOSE/BACKGROUND:**

On January 15, 2000 the City Council approved an annual requirements contract for custodial services in the estimated amount of \$600,000, and on November 6, 2002 the City Council approved an additional \$200,000 for the addition of twenty-one (21) City Buildings for custodial services. This revision would allow for funds for approximately 40,000 square feet to be added with continued services through December 31, 2004.

PCC: D. Rawski

POC: Rafael Romano - (702) 736-4785

RECOMMENDATION:

That the City Council approve revision to blanket purchase order number 216080 for an annual requirements contract for custodial services to Best Janitorial Services of Nevada, Inc. in the amount of \$600,000, for a revised total estimated annual amount of \$1,400,000.

BACKUP DOCUMENTATION:

None

MOTION:**WEEKLY – APPROVED as recommended – UNANIMOUS****MINUTES:**

Under Item 3, COUNCILMAN WEEKLY requested Item 21 be brought forward for discussion.

COUNCILMAN WEEKLY explained that some City Employees Association (CEA) representatives had concerns regarding this matter, and he wanted to bring it forward so that they could express their concerns. TOMMY RICKETTS, President of the CEA, stated that he had some concerns with outsourcing to Best Janitorial Services. However, he has been working with Human Resources to try to come up with a settlement on pending litigation and negotiation issues. LARRY HAUGSNESS, Director, Field Operations has made a commitment to attend a meeting that was set up; therefore, he no longer objects to the Council moving forward with this matter.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Finance and Business Services

Item 21 – Approval of revision to blanket purchase order number 216080 for an Annual Requirements Contract for Custodial Services – Department of Field Operations – Award to: BEST JANITORIAL SERVICES OF NEVADA, INC.

MINUTES – Continued:

There was no further discussion.

(9:43 – 9:45/9:47-9:53)

1-1193/1-1508

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid Number 040064-DAR, Annual Requirements Contract for Lubricants - Various Departments - Award recommended to: REBEL OIL COMPANY, INC. (Estimated annual amount of \$180,000 - Various Funds)

Fiscal Impact

☐

No Impact

Amount: \$180,000

☒

Budget Funds Available

Dept./Division: Various Departments

☐

Augmentation Required

Funding Source: Various Funds

PURPOSE/BACKGROUND:

This request will provide for an annual requirements contract for lubricants used by Fleet Services, Fire & Rescue Automotive shop and the Water Pollution Control Facility for daily maintenance requirements.

PCC: D. Rawski

POC: Carl Bailey - (702) 382-5866

RECOMMENDATION:

That the City Council approve the award of Bid Number 040064-DAR, Annual Requirements Contract for Lubricants to Rebel Oil Company, Inc. from date of award through November 18, 2004, with four (4) one-year options to renew in the estimated annual amount of \$180,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid Number 030326-TB, Annual Requirements Contract for Liquid Sodium Bisulfite - Public Works - Award recommended to: THATCHER COMPANY OF NEVADA (Estimated annual amount of \$165,000 - Sanitation Enterprise Fund)

Fiscal Impact☐**No Impact****Amount:** \$165,000☒**Budget Funds Available****Dept./Division:** Public Works/Environmental☐**Augmentation Required****Funding Source:** Sanitation Enterprise Fund**PURPOSE/BACKGROUND:**

This request will provide for an annual requirements contract for liquid sodium bisulfite to be used by the Water Pollution Control Facility.

PCC: T. Bowman

POC: Kyle Peterson - (702) 564-7622

RECOMMENDATION:

That the City Council approve the award of Bid Number 030326-TB, Annual Requirements Contract for Liquid Sodium Bisulfite to Thatcher Company of Nevada from date of award through November 30, 2004, with four (4) one-year options to renew in the estimated annual amount of \$165,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Agreement No. 040015-CW, Drainage Study Review Services -
Department of Public Works - Award recommended to: BERRYMAN & HENIGAR (\$100,000 -
General Fund) - All Wards

Fiscal Impact☐**No Impact****Amount:** \$100,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This agreement by and between Berryman & Henigar and the City will provide professional engineering services for the review of developer-submitted technical drainage studies and corresponding detail plans from date of award through December 31, 2004 with four (4) one-year renewal options.

This request is exempt from competitive bidding procedures pursuant to NRS 332.115.1(b), Professional Services.

PCC: C. White

POC: Don Allison - (702) 252-7866

RECOMMENDATION:

That the City Council approve the award of Agreement No. 040015-CW to Berryman & Henigar from date of award through December 31, 2004 with four (4) one-year renewal options in the annual amount of \$100,000. Authority to execute contract is given to the Purchasing Manager per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

Submitted after meeting – Engineering Review Services Agreement with Disclosure attached

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

CITY COUNCIL MEETING OF NOVEMBER 29, 2003

Consent – Finance and Business Services

Item 16 – Approval of award of Agreement No. 040015-CW, Drainage Study Review Services - Department of Public Works - Award recommended to: BERRYMAN & HENIGAR (\$100,000 - General Fund)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid Number 040097-DAR, Aerial Lift Truck - Department of Field Operations - Award recommended to: PACIFIC UTILITY EQUIPMENT (\$80,419.50 - Vehicle Services Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$80,419.50

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Vehicle Services ISF

PURPOSE/BACKGROUND:

This request will provide for the purchase of one (1) aerial lift truck to replace an obsolete truck for use by Traffic Engineering/Field Operations Division, as well as facilitate the purchase of additional trucks, if needed, through model year availability under the open-end contract provision.

PCC: D. Rawski

POC: Marvin Seiler - (801) 973-9066

RECOMMENDATION:

That the City Council approve the award of Bid Number 040097-DAR, Aerial Lift Truck to Pacific Utility Equipment in the amount of \$80,419.50.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FIRE & RESCUE

DIRECTOR: DAVID L. WASHINGTON

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement between the City of Las Vegas and Engineering Structural Solutions to provide structural engineering for the construction of Fire Station #8 located at Mojave Rd. & Harris Ave. (\$41,000 - Capital Projects Fire & Rescue) - Ward 3 (G. Reese)

Fiscal Impact

☐

No Impact

Amount: \$41,000

☒

Budget Funds Available

Dept./Division: Fire & Rescue/Suppression

☐

Augmentation Required

Funding Source: Capital Projects Fire & Rescue

PURPOSE/BACKGROUND:

The City of Las Vegas is replacing existing Fire Station #8 with a new prototype fire station. The professional services for structural engineering are required for the construction of the building.

RECOMMENDATION:

Approve the negotiated Professional Services Agreement between the City of Las Vegas and Engineering Structural Solutions in the amount of \$33,000 and approve an Additional Services contingency reserve of \$8,000.

BACKUP DOCUMENTATION:

Professional Services Agreement with Engineering Structural Solutions

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN HARSIN (ACTING) ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of an allocation of \$135,000 of HOME funds, \$67,944 of Community Development Block Grant (CDBG) funds and \$3,155 of Emergency Shelter Grant (ESG) funds to Catholic Charities for a new Tenant Based Rental Assistance Program - All Wards

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: \$206,099
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: Neigh. Svcs./Neigh. Devel.
<input type="checkbox"/>	Augmentation Required	Funding Source: HOME, CDBG, and ESG

PURPOSE/BACKGROUND:

Catholic Charities has requested \$206,099 in funding to assist a minimum of twenty-five women by providing Health and Sheriff's cards, bus passes, child care, utilities and rental assistance.

RECOMMENDATION:

Staff recommends that the City Council approve the allocation of funds and authorize the Mayor to execute the Agreement with Catholic Charities after it has been approved by the City Attorney.

BACKUP DOCUMENTATION:

Proposal from Catholic Charities

Submitted after meeting – Agreement for Award of Emergency Shelter Grant Funds

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN (ACTING)** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of an allocation of \$86,306 Community Development Block Grant funds to McCabe Boys & Girls Club for roof replacement and electrical upgrades/replacement at 2801 Stewart Avenue - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$86,306☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** CDBG**PURPOSE/BACKGROUND:**

The McCabe Boys & Girls Club has experienced tremendous growth in the number of participants utilizing its facility. In order to maintain a quality facility that will encourage facility growth and safety, the agency has determined that roof replacement and electrical upgrades/replacements are needed. The Boys & Girls Club has requested \$78,460 for the rehabilitation and a \$7,846 contingency will be included for a total award of \$86,306.

RECOMMENDATION:

Staff recommends approval of the allocation of \$86,306 of Community Development Block Grant funding to McCabe Boys & Girls Club for facility rehabilitation.

BACKUP DOCUMENTATION:

Boys & Girls Club letter dated October 22, 2003

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN (ACTING)** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of a Direct Loan Agreement expending \$28,578 of Home Investment Partnership (HOME) Program funds for housing rehabilitation activities at 3804 Budlong Avenue - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$28,578☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HOME**PURPOSE/BACKGROUND:**

Ms. Conol is a single mother of four with an annual household income of \$44,556 which qualifies her for a HOME funded 3% Direct Housing Rehabilitation Loan. Ms. Conol's home is in need of a new sewer line, new mechanical system, smoke detectors, kitchen cabinetry, flooring and windows. Total job cost includes payment to the lowest responsive bidding contractor, real estate appraisal, preliminary title report, Clark County recording fees, plumbing repairs and work contract contingency.

RECOMMENDATION:

Staff recommends approval and requests authorization for Mayor to sign the Direct Loan Agreement when approved by the City Attorney.

BACKUP DOCUMENTATION:

Direct Loan Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN HARSIN (ACTING) ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of amending the Single Family Residential Rehabilitation Program Guidelines for the Neighborhood Development Division of the Neighborhood Services Department - All Wards

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request by the Neighborhood Development division will allow for a C-3 State of Nevada licensed contractor to participate in the housing rehab program; increase the maximum expenditure for a Grant to \$10,000; increase the maximum expenditure for a Direct or Deferred Loan to \$40,000; length of time of property liens will match the affordability periods set forth by HUD; adoption of the 2003 International Building Code (IBC) as the governing source for addressing items deemed essential for basic health, safety and welfare; and include language relating to foreclosure procedures.

RECOMMENDATION:

Staff recommends that the new Single Family Residential Rehabilitation Program Guidelines for the Neighborhood Development Division be adopted.

BACKUP DOCUMENTATION:

Amended City of Las Vegas Single Family Residential Rehabilitation Program Guidelines

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN (ACTING)** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of additional funding in the amount of \$3,725 to complete the housing rehabilitation project at 1048 Miller Avenue - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$3,725☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HOME**PURPOSE/BACKGROUND:**

Additional funding in the amount of \$3,725 is being requested for completion of the housing rehabilitation project for Morle Martin at 1048 Miller Avenue. The requested funding is to cover costs related to ducting for the mechanical system; Type II soil to fill a sinkhole on the property; dumpster fee for removal of concrete slabs in the rear yard. This project was approved by City Council on July 2, 2003 in the amount of \$40,000.

RECOMMENDATION:

Staff recommends that the City Council approve the additional funding.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN (ACTING)** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of an allocation of \$90,000 Community Development Block Grant funds for the demolition of the Bishop Hall at the First Baptist Church located at 310 South 9th Street - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$90,000☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** CDBG**PURPOSE/BACKGROUND:**

City Council pre-approved the demolition of Bishop Hall on October 15, 2003. The project will consist of the demolition of Bishop Hall at the First Baptist Church located at 310 South 9th Street. The work will include building demolition, concrete flatwork, planter removal, HVAC and landscape removal and overhead gas line removal.

RECOMMENDATION:

Staff recommends approval of the allocation of \$90,000 of Community Development Block Grant funds for the demolition of Bishop Hall at the First Baptist Church located at 310 South 9th Street.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to appraise and purchase or condemn right-of-way parcels for the Discovery Drive Road Project between Grand Central Parkway and Martin L King Boulevard (\$1,700,000 - Regional Transportation Commission of Southern Nevada) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$1,700,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Regional Transportation Commission

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to appraise and purchase or condemn right-of-way parcels for the Grand Teton Drive/US 95 Overpass Project (\$2,250,000 - Regional Transportation Commission of Southern Nevada) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$2,250,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Regional Transportation Commission

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Engineering Design Services Agreement with Kimley-Horn and Associates, Inc. for design of the Bonneville/Clark One-Way Couplet (\$1,625,000 - Regional Transportation Commission of Southern Nevada) - Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact☐**No Impact****Amount:** \$1,625,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Regional Transportation Commission**PURPOSE/BACKGROUND:**

This agreement is to procure engineering design services from Kimley-Horn & Associates, Inc. for the Bonneville/Clark One-Way Couplet project. The design will convert Bonneville Ave. into an eastbound one-way road from 1st St. to Maryland Parkway, convert Clark Ave. into a one-way road from Charleston Blvd. to 1st St., convert 1st St. into a southbound one-way road between Clark Ave. & Bonneville Ave., & widen Bonneville Ave. from Main St. to 1st St. The design will include landscaping, streetscaping, utility relocations, drainage improvements & roadway & traffic signal improvements.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Engineering Design Services Agreement with Louis Berger Group, Inc. for engineering design services for the Rancho/Owens Sewer Rehabilitation Project (\$225,000 - City of Las Vegas Sanitation Funds) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$225,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** City of Las Vegas Sanitation Funds**PURPOSE/BACKGROUND:**

The City desires to rehabilitate approximately 1600 linear feet of 18 inch to 21 inch diameter sewer main in Rancho Drive between Cheyenne Avenue and Decatur Boulevard and approximately 8500 linear feet of 30 inch to 36 inch diameter sewer main in Owens Avenue between A Street and Eastern Avenue. The need to rehabilitate these sewer mains was identified in previously completed sewer evaluations.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also

CITY COUNCIL MEETING OF NOVEMBER 129, 2003

Consent – Public Works

Item 36 – Approval of an Engineering Design Services Agreement with Louis Berger Group, Inc. for engineering design services for the Rancho/Owens Sewer Rehabilitation Project (\$225,000 - City of Las Vegas Sanitation Funds)

MOTION – Continued:

owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Engineering Design Services Agreement with Project Engineering Consultants, Ltd. for professional engineering services related to the City's Unlined Reinforced Concrete Pipe Evaluation and Rehabilitation Program, Phase 3 (\$344,768.96 - City of Las Vegas Sanitation Funds) - Wards 1, 3, 5 and 6 (Moncrief, Reese, Weekly and Mack)

Fiscal Impact☐**No Impact****Amount:** \$344,768.96☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Sanitation Fund**PURPOSE/BACKGROUND:**

The City desires to evaluate approximately 78,000 lineal feet of older existing, large diameter unlined Reinforced Concrete Pipe sanitary sewer lines at various locations for indications of erosion, deterioration and infiltration, and to determine rehabilitation methods, costs and priorities. This evaluation is intended to locate areas of potentially hazardous pipe deterioration and to correct these situations prior to failure of the pipelines. The cost associated with this agreement is \$344,768.96.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☒**CONSENT**☐**DISCUSSION****SUBJECT:****RESOLUTIONS:**

R-162-2003 - Approval of a Resolution Establishing the Interest Rate for Special Improvement District No. 1479 - Mayfair Area (\$49,008.96 - Capital Projects Fund - Special Assessments) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$49,008.96☐**Budget Funds Available****Dept./Division:** Public Works/SID☒**Augmentation Required****Funding Source:** Capital Projects Fund - Special Assessments**PURPOSE/BACKGROUND:**

This project consists of construction and installation of streetlights. The District is located in the Mayfair subdivision bounded by 15th Street on the west, Fremont Street on the north, Bruce Street on the east, and Charleston Boulevard on the south. The interest rate for the district established by this resolution is 5.81 percent. The assessments will be paid over a 5-year period.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-162-2003

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE & BUSINESS

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-163-2003 - Approval of a Resolution to establish the Special Revenue Fund for the Cliffs Edge Special Improvement District 607 - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Establishment of a Special Revenue Fund to facilitate the receipt, distribution, and documentation of funding attributable to the administration of the Cliffs Edge Special Improvement District Deposit and Reimbursement Agreement approved by City Council on October 29, 2003.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Resolution No. R-163-2003

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

There was no related discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Land Lease Agreement between the City of Las Vegas and Pacific Bell Wireless, LLC, d/b/a Cingular Wireless for a wireless communications system located on approximately 242 square feet of property located at 1651 South Buffalo Drive, commonly known as All American Park (\$548,496 revenue for duration of contract) - Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** \$548,496 revenue☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** CIP/Misc. Rentals**PURPOSE/BACKGROUND:**

On 9/3/03 Council approved staff entering into negotiations with multiple cellular companies for future cell tower land leases. This contract is for 242 square feet and will construct an antennae atop of an existing light pole and foundation, equipment shelter and security fencing. Cingular Wireless shall pay the City a one-time administrative fee of \$1,000 and a one-time park maintenance use fee of \$4,000. The initial term is for five years with three five-year options.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Land Lease Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Real Estate

Item 40 – Approval of a Land Lease Agreement between the City of Las Vegas and Pacific Bell Wireless, LLC, d/b/a Cingular Wireless for a wireless communications system located on approximately 242 square feet of property located at 1651 South Buffalo Drive, commonly known as All American Park (\$548,496 revenue for duration of contract)

MINUTES – Continued:

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Interlocal Agreement with the Las Vegas Valley Water District for water service at Washington Buffalo Park Phase 1B (\$1,811,617 - Capital Improvement Project) - Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$1,811,617☒**Budget Funds Available****Dept./Division:** PW/Engineering Integration☐**Augmentation Required****Funding Source:** Capital Improvement Project**PURPOSE/BACKGROUND:**

A necessary part of this project is the installation of water service. Before the Las Vegas Valley Water District will sign the service connection documents and allow the City to install the water service, the Interlocal Agreement with conditional water commitment must be executed and the required fees paid.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Interlocal Agreement No. 109617
2. Site Map

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK².

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Real Estate

Item 41 – Approval of a Interlocal Agreement with the Las Vegas Valley Water District for water service at Washington Buffalo Park Phase 1B (\$1,811,617 - Capital Improvement Project)

MOTION – Continued:

The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 525 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004 - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

A necessary part of this project is the installation of water service. In order to have water service for the park site, the City is required to grant an Easement and Rights-of-Way to Water District to service the site and the water lines.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Real Estate

Item 42 - [Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 525 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004](#)

MOTION – Continued:

relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:48)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 225 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004 - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

A necessary part of this project is the installation of water service. In order to have water service for the park site, the City is required to grant an Easement and Rights-of-Way to Water District to service the site and the water lines.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Real Estate

Item 43 – Approval of an [Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 225 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004](#)

MOTION – Continued:

been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:48)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 36 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004 - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

A necessary part of this project is the installation of water service. In order to have water service for the park site, the City is required to grant an Easement and Rights-of-Way to Water District to service the site and the water lines.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Real Estate

Item 44 – Approval of an [Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 36 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004](#)

MOTION – Continued:

been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:48)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 1,400 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004 - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

A necessary part of this project is the installation of water service. In order to have water service for the park site, the City is required to grant an Easement and Rights-of-Way to the Water District to service the site and the water lines.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Real Estate

Item 45 – Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 1,400 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004

MOTION – Continued:

been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:48)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 96 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004 - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

A necessary part of this project is the installation of water service. In order to have water service for the park site, the City is required to grant an Easement and Rights-of-Way to the Water District to service the site and the water lines.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – UNANIMOUS with L.B. McDONALD abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and MACK abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Real Estate

Item 46 – Approval of an [Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District containing 96 square feet to the Water District to service the Washington Buffalo Park Phase 1B, APN 138-28-301-004](#)

MOTION – Continued:

been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:48)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN (ACTING)** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of entering into negotiations with HELP USA to give them property from the former MASH site at 1559 North Main Street after the completion of the parcel map and allocate \$100,000 of HOME funds to HELP USA for the predevelopment expenses of building housing on the parcel - Ward 5 (Weekly)

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: \$100,000
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: Neigh. Svcs./Neigh. Devel.
<input type="checkbox"/>	Augmentation Required	Funding Source: HOME

PURPOSE/BACKGROUND:

The City of Las Vegas is in the process of reparcelling the former MASH site. On July 16, 2003, City Council approved staff to enter into discussions with HELP USA for potential uses of the site. Staff is recommending that the city enter into negotiations to give HELP USA a parcel to build housing for low-income persons and to allocate \$100,000 of HOME funds to HELP USA for predevelopment expenses.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval and authorization of the Mayor to execute the Agreement with HELP USA after it has been approved by the City Attorney.

BACKUP DOCUMENTATION:

Proposal from HELP USA

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Real Estate

Item 47 - Approval of entering into negotiations with HELP USA to give them property from the former MASH site at 1559 North Main Street after the completion of the parcel map and allocate \$100,000 of HOME funds to HELP USA for the predevelopment expenses of building housing on the parcel

MOTION – Continued:

NOTE: In addition to her abstention on Item No. 27 under Item 3, COUNCILWOMAN McDONALD disclosed that Item 47 involves HELP USA, with which Catholic Charities is a partner. This item does not involve Catholic Charities at all; therefore, she would be voting on this matter. She also disclosed for Items 90, 91, 96, 99, and 100 of the afternoon session that she is an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants. She has not discussed these items with Station Casinos nor will her affiliation impact her judgment. She has reviewed these disclosures with the City Attorney. As these items will have no material impact on the company, she will vote on these items.

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a First Amendment to Development Agreement between the City of Las Vegas and the Howard Hughes Corporation for the Summerlin West Area - Wards 2 and 4 (L.B. McDonald and Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Howard Hughes Corporation is the owner and master developer of certain land within Summerlin West, which lies within the corporate boundaries of the City and is part of the Summerlin master planned community. This amendment will modify the terms of that certain Development Agreement and will include a minimum of 2 acres of "recreational space" per 1000 residents and 0.5 acres of "passive space" per 1000 residents for recreation, a neighborhood pool, community center, police station, and a third fire station (the City has agreed on locations for two fire stations).

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval subject to recommended changes

BACKUP DOCUMENTATION:

First Amendment to Development Agreement

MOTION:

L.B. McDONALD – APPROVED as amended – UNANIMOUS

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Real Estate

Item 48 – Approval of a First Amendment to Development Agreement between the City of Las Vegas and the Howard Hughes Corporation for the Summerlin West Area

MOTION – Continued:

been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council. Also, COUNCILWOMAN McDONALD requested Item 48 be pulled from the Consent Agenda for discussion.

DEPUTY CITY MANAGER FRETWELL advised that for several months staff and the Howard Hughes Corporation have been negotiating this amendment to the Development Agreement, which was approved in 1997. She reviewed the key components of the agreement as listed under the Purpose/Background section of the Agenda Summary Page for this matter. She pointed out that there has been a delay with Fire Station #47 due to difficulties in getting water to the original designated site. Staff held a meeting with Howard Hughes representatives and reached a tentative agreement on an alternate site located in a water zone. Construction of that fire station will now be expedited. Finally, she mentioned a correction to Page 3. The fifth line should read “the third fire station” and the exhibit should be Exhibit C not Exhibit A. Also, the agreement includes a 9,000-unit change in density and Howard Hughes will pay for an updated traffic study. She requested approval in order to move forward.

COUNCILWOMAN McDONALD indicated that this is probably one of the most significant agreements to impact Ward 2. It lays a blueprint of development for the next 20 years in the area west of the 215 and north of Charleston, which is expected to be home to about 30,000 residents. It illustrates the significance of identifying all of the public safety components, infrastructure, and the parks and open spaces components. With all the development in the area, it was critical to have the fire stations identified. She commended DEPUTY CITY MANAGER FRETWELL for a yeoman’s job in leading the negotiating team and thanked staff members DR. BARBARA JACKSON, CHIEF DAVID WASHINGTON, DEPUTY CHIEF JEFF MORGAN, RICHARD GOECKE, O.C. WHITE, and JORGE CERVANTES for their tireless efforts in pulling this agreement together.

There was no further discussion.

(9:43 – 9:45/9:53 – 9:59)

1-1193/1-1555

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of the Pueblo Park Transfer and Maintenance Agreement between the City of Las Vegas, the Howard Hughes Corporation, the Summerlin Council and the Summerlin North Community Association for the Summerlin North Area - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Howard Hughes Corporation is the owner and master developer of Summerlin North within the corporate boundaries of the City and is part of the Summerlin master planned community. This agreement will set forth the procedure by which the City will transfer Pueblo Park to the Summerlin Council and will set forth the ownership and maintenance of Pueblo Park by the Summerlin Council.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

The Pueblo Park Transfer and Maintenance Agreement

MOTION:

REESE – APPROVED Items 3-11, 13-20, 22-47, and 49 – **UNANIMOUS** with **L.B. McDONALD** abstaining on Item 27 because it involves allocation of funds to Catholic Charities of Southern Nevada, for which she serves as a Trustee and **MACK** abstaining on Item 28 because he is on the Board of Directors for the Las Vegas Boys and Girls Club, which is a funding recipient

Items 12, 21, 48, & 50: APPROVED under separate actions (see individual items)

NOTE: In addition to his abstention on Item No. 28 under Item 3, **COUNCILMAN MACK** disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, **STEVEN MACK**, and Becker Gaming, a client of **MK² Advertising and Public Relations**. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to **MK²**.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Real Estate

Item 49 - Approval of the Pueblo Park Transfer and Maintenance Agreement between the City of Las Vegas, the Howard Hughes Corporation, the Summerlin Council and the Summerlin North Community Association for the Summerlin North Area

MOTION – Continued:

The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council.

There was no further discussion.

(9:43 – 9:45)

1-1193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Summerlin West Parks Agreement between the City of Las Vegas, the Howard Hughes Corporation, the Summerlin Council and the Summerlin West Community Association for the Summerlin West area - Wards 2 and 4 (L.B. McDonald and Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Howard Hughes Corp.(HHC) is the owner & master developer of certain land within Summerlin West, which lies within the corporate boundaries of CLV & is part of the Summerlin master planned community. This Agreement will set forth the procedure by which HHC may elect to construct Park Facilities & receive Park Fee credits in lieu of HHC or the Builders paying park fees. This Agreement will also set forth the ownership & maintenance of the Park Facilities by the Summerlin Council, & will establish the procedure by which the right is reserved or granted to the public for use of the Park Facilities.

RECOMMENDATION:

The 11/17/2003 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Summerlin West Parks Agreement

MOTION:

L.B. McDONALD – APPROVED as recommended – UNANIMOUS

NOTE: In addition to his abstention on Item No. 28 under Item 3, COUNCILMAN MACK disclosed that the location involved in Item No. 16 is close to both a SuperPawn shop owned by his brother, STEVEN MACK, and Becker Gaming, a client of MK² Advertising and Public Relations. He is a consultant for SuperPawn and his firm Mack Consulting subcontracts to MK². The locations involved in Item Nos. 36 and 41 through 47 are near other SuperPawn shops also owned by his brother, STEVEN MACK, for which he is also a consultant. Since he does not believe his brother or MK²'s clients will be impacted by any of these requests and he has not

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Consent – Real Estate

Item 50 – Approval of a Summerlin West Parks Agreement between the City of Las Vegas, the Howard Hughes Corporation, the Summerlin Council and the Summerlin West Community Association for the Summerlin West area

MOTION – Continued:

been approached on these items, he would be voting. Moreover, he was informed that TERRY MURPHY, a consultant for the Howard Hughes Corporation who has had a previous consulting relationship with him, is representing the Hughes Corporation on Items 48, 49, and 50. MS. MURPHY no longer has any contractual affiliation, they have not discussed these matters, and she has not approached him regarding these matters; therefore, he felt comfortable voting.

MINUTES:

Under Item 3, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all the Real Estate items on the Consent Agenda and joins with the recommendation of staff that each item be approved by the City Council. Also, COUNCILWOMAN McDONALD requested Item 50 be pulled from the Consent Agenda for discussion.

DEPUTY CITY MANAGER FRETWELL stated that this is a companion item to Item 48. The agreement is relative to how parks will be developed in the Summerlin West area and identifies a process for the development of qualified parks, which are parks that would qualify for “parks in lieu of” status instead of Howard Hughes having to pay the required park fee. The agreement provides specificity relating to the sports park that is required in the original development agreement. It also includes that Howard Hughes will, upon the City’s notification and initial funding, specify a 20-acre site, which both parties must agree to, as a regional sports park for the area. The City will then have five years to commence construction and an additional five years to complete construction. Lastly, she noted that this agreement is modeled after the Summerlin North Parks Agreement.

COUNCILWOMAN McDONALD said she is looking forward to the construction of this regional park.

There was no further discussion.

(9:43 – 9:45/9:59 - 10:01)

1-1193/1-1786

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)
- Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Ordinance Number 5521 was adopted on October 2, 2002 to create the Downtown Entertainment Overlay District on East Fremont Street. The property owners formed the Downtown Entertainment Corporation on July 29, 2003. Staff and Metro Police continue to work with the owners to implement the district including security and cleanliness issues, attract entertainment venues, and secure leaseholds. The Ordinance sunsets on April 2, 2004 unless extended for due cause to fully implement the district concept.

RECOMMENDATION:

Accept report, and give staff direction.

BACKUP DOCUMENTATION:

1. Ordinance No. 5521 (Bill No. 2002-102)
2. Site Map

MOTION:

WEEKLY – APPROVED to move forward with identifying funding for a pilot program using bacterial agents to address odor problems stemming from the East Fremont Street alleyways – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, has a contract with the nearby Lady Luck Casino. However, they have not spoken about this matter. He does not believe that his brother-in-law's interests would be affected; therefore, he would be participating.

MINUTES:

DEPUTY CITY MANAGER FRETWELL indicated that staff members from the Las Vegas Metropolitan Police Department (Metro) approached the City requesting its support to cleanup

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Administrative

Item 51 - Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)

MINUTES – Continued:

the Entertainment Overlay area. In response to that request, a small internal team, with representatives from the Departments of Field Operations, Neighborhood Services, Public Works, Planning & Development, Business Development, and the City Manager's Office, was formed to work with Metro. Fremont Street Experience was also asked to participate in the meetings.

This presentation was set up to inform the Council on how staff is progressing towards the goals the Council outlined in the ordinance that established the Entertainment District. That ordinance was adopted 10/2/2002 and set an 18-month period in which to implement the district in order to have seven entertainment venues in place by April 2004. If this deadline is not met, Council may have to consider an extension of time, which staff would bring to Council in February or March of 2004.

WAYNE STARKER, Business Owners Association and stockholder in the El Cortez Hotel/Casino, indicated that he has been involved in meetings for almost a year discussing the concept of an entertainment district. The members of the Business Owners Association are very energized about having an entertainment district on East Fremont. Several business owners are negotiating with companies that are proposing entertainment venues. So, they are in the very early stages, but they see a very bright future for East Fremont. MAYOR GOODMAN mentioned that he too is very excited about East Fremont becoming a vibrant part of the community. He predicts that within a year and a half cab drivers will be directing tourists to the Entertainment District for a good time, especially with the development interest of the Hogs and Heifers Saloon, which opened in the Meat Packing District of New York and overnight became a tourist attraction. Lastly, he offered the City's full cooperation in making this endeavor succeed.

IAIN VASEY, Acting Director, Office of Business Development, gave an update of the City's activities in promoting the District. Within the last two months the City procured the building known as the Fingerprint Building from the County for about \$1.2 million. The intention is to make that building quickly available for the development of bars, nightclubs, and other entertainment venues. The interested development parties that have approached the City were asked to submit a proposal for the interdepartmental team to review for concept market feasibility, financial strengths, etc. The Council will then be asked to enter into an exclusive negotiating agreement sometime in January with the recommended party.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Administrative

Item 51 - Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)

MINUTES – Continued:

Other activities that have been taken to improve the Entertainment District include the creation of the Design and Review Committee to review and approve the conversion of properties in the area. The first project included the conversion of the City Center Motel to the Super Eight Franchise. The Committee will also be tasked with developing design standards for the District that will give it a special character and feeling.

RICHARD GOECKE, Director of Public Works, advised that Public Works' role will be to reconstruct Fremont Street. One of its first projects will be to start with a demonstration block from Las Vegas Boulevard to Sixth Street. That project includes replacing the sidewalk, eliminating parking along that section of Fremont, and widening the sidewalk into the parking area. Street furniture, new lighting, and tree wells are also part of the project. Conceptual drawings will be produced and submitted to interested parties, and then reduced to construction drawings.

LARRY HAUGSNESS, Director of Field Operations, explained that his staff was tasked with developing a plan to improve the overall appearance of the area, which basically came down to sidewalk cleanup and odor control for the alleys. A plan was concocted to clean the sidewalks with equipment at least once a week. Initially the cost would be about \$1,900 for four weeks and subsequently reduced to \$950 to maintain the sidewalks. The total annual cost would be approximately \$53,000, which could be assumed by the District once fully developed.

LLOYD PHILLIPS, Sr. Code Enforcement Officer, discussed the odor problems in the alleys. They are primarily emanating from a combination of mechanical greases and fats from the various restaurants that back to the alleys and human waste, none of which can be effectively abated without incessant maintenance. Cleaning it would be problematic because cumbersome equipment and personnel would have to be brought in. A more effective solution would be to utilize bacterial agents used for deodorizing grease traps. They are approved for storm drains and can be sprayed in the alley. However, they are not inexpensive. He has spoken with DEPUTY CITY MANAGER FRETWELL about identifying funding for the possibility of experimenting with bacterial agents in the three alleys immediately adjacent to Fremont Street Experience. This would cost approximately \$4,840 an alley for a six-month trial period.

MAYOR GOODMAN asked if any discussion regarding cost assistance has been held with representatives of the Fremont Street Experience. DEPUTY CITY MANAGER FRETWELL responded that staff would discuss that with the new Executive Director of the Fremont Street Experience once he/she is hired. Even if the City has to incur the cost during the pilot period, hopefully, Fremont Street Experience can share the cost thereafter. MAYOR GOODMAN opined that it is fair that they share in the cost because they too will benefit from it.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Administrative

Item 51 - Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)

MINUTES – Continued:

COUNCILMAN WEEKLY asked if there has been any communication with the existing businesses that are contributing to the problem. MR. PHILLIPS indicated that the businesses are operating within the Code. Most of the dumpsters are locked, but naturally odors are going to result given the amount of debris being deposited into the dumpsters.

COUNCILMAN WEEKLY asked DEPUTY CITY MANAGER FRETWELL if funding has been identified for bacterial agents, because, in his opinion, the City has no choice but to control the odors or they will not be successful in attracting businesses to the area. DEPUTY CITY MANAGER FRETWELL indicated that the costs were not planned in the original budget cycle and staff is now wrestling with possibly shifting budget priorities to be able to procure the necessary supplies. She assured COUNCILMAN WEEKLY that staff would continue to search for funds to get the pilot program underway.

DEPUTY CITY MANAGER FRETWELL clarified for COUNCILMAN BROWN that the bacterial agents would not have a negative impact on the storm sewer drainage system. In fact, it may actually enhance their condition. The unit that will be used to clean the sidewalks is self-contained, so there will not be any runoff into the sewer drain. Staff is working with environmental officers to avoid any problems with current necessary permits.

MIKE SHELDON, Director of Detention and Enforcement, advised that police presence is critical to the continued revitalization of the downtown and the Overlay District. Fortunately, this is a key initiative for Metro and the City. Metro is using all its available resources to maintain a police presence in these areas. However, despite police presence, it is incumbent upon the tenants to develop and submit a security plan to Metro for review.

SERGEANT ERIC FRICKER, Downtown Area Command, explained that the problems on East Fremont have been there for some time and cannot be addressed overnight. It is known nationwide by criminals and in federal documents as an open-air drug market. It was designated a federal Weed and Seed area in November of 2000 and in June of 2000 Metro started earnest law enforcement activities in three areas; prostitution, drugs, and gangs. With the assistance of JEFFREY DUFRENE, Field Services Lieutenant, a community policing task force was implemented to get to the root of the problems. From that, a program was developed to obtain help for chronic offenders, as well as a Community Response Team, which is now the Integrated Service Team.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Administrative

Item 51 - Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)

MINUTES – Continued:

Comparing some statistics from June through September 2001 to June through September 2002, SERGEANT FRICKER indicated that crime overall in the Entertainment District is down 26% since Detention and Enforcement and Metro commenced their law enforcement activity. Specifically, burglary is down 37%, auto burglary is down 72%, battery is down 40%, disturbance calls down 41%. There has been a slight increase in robbery from 19 to 23 in the Entertainment District, which is attributed to the robbery decoy activity, which added to the stats. There has also been a slight increase in stolen vehicles.

Through Business Services, a Long-term Security Plan program was created where certain individuals from Metro, Business Services, Neighborhood Services, and Detention and Enforcement gather to create a long-term security plan for each new business in the area to ensure their success within the environment. The program consists of three stages.

SERGEANT FRICKER noted that one of the biggest contributors to the drug infestation are the outdoor pay phones. Surveys show that they are highly utilized by known drug traffickers. Many of the businesses with outdoor phones have refused to relocate their phones indoors. Many of the phones have been declared a nuisance. Metro is convinced that if the outdoor phones are not removed or relocated indoors, criminal activity will continue. It is highly recommended that pay phones in the Overlay District be restricted to indoor use only.

Lastly, SERGEANT FRICKER indicated that earnest law enforcement activity would resume as soon as Metro receives the Weed and Seed grant in January 2004. In addition, to the Weed and Seed initiative, CAPTAIN TED MOODY was directed by SHERIFF BILL YOUNG to come up with a new strategic police initiative. CAPTAIN MOODY is mainly responsible for the East Fremont area and surely he will be willing to discuss this new initiative with the Council. SERGEANT FRICKER assured the Council that law enforcement is committed to revitalizing Fremont Street through creative policing.

LIEUTENANT DUFRENE stated that Detention and Enforcement and Metro would continue its partnership to reduce crime in the area as much as possible.

MAYOR GOODMAN stressed that if Fremont Street does not become the glittering, gleaming street that it once was, downtown will be sorely affected with a near-death experience. Forty-eight of the fifty states have legalized gambling, and the Indian reservations are a tremendous threat to Las Vegas. He is delighted with the development on the 61 acres, the improvements

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Administrative

Item 51 - Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)

MINUTES – Continued:

being made to the Fremont Street Experience, and the potential of the Entertainment Overlay District. However, it is essential to get rid of the vermin, which he has referred to as cockroaches. They are the drug dealers and prostitutes who are disease ridden. Criminal activity will not be tolerated in the City and will be more harshly punished. He urged Metro and Detention and Enforcement to continue their efforts. He thanked DEPUTY CITY MANAGER FRETWELL for her oversight. There is nothing more important to the City's continued economic viability than successfully rectifying the social ills occurring on East Fremont.

COUNCILMAN BROWN interjected that current statistics show that the Las Vegas Metropolitan Police Department and the City are below the average in police officers per 1,000 capita. This is a serious problem that even constituents are starting to notice, and, for the first time in six years, the need for increased law enforcement has been a frequent topic of discussion at his town hall meetings. It is important to start the dialogue to justify more police officers.

TOM McGOWAN, Las Vegas resident, requested a meeting with COUNCILMAN WEEKLY as soon as possible.

PATRICIA MARTINELLI-PRICE, homeless advocate, opposed the Mayor's use of the word cockroach in referring to some of the people with drug challenges on East Fremont Street. MAYOR GOODMAN explained that he was referring to drug sellers, because he does not want them in his City. MS. MARTINELLI-PRICE countered that she was born and raised in Las Vegas and does not find it appropriate for a respectful leader of this community to refer to human beings as cockroaches.

AL GALLEGOS, Las Vegas citizen, indicated that foul odors permeate the intersection of Fremont Street and Las Vegas Boulevard, especially on very hot days. He believes the nearby hotels are causing the problem. COUNCILMAN WEEKLY agreed with MR. GALLEGOS's comments and indicated that something has to be done about it.

NOTE: COUNCILMAN BROWN directed the following: 1) that DEPUTY CITY MANAGER FRETWELL look for possible funding opportunities under the Storm Water Management Plan recently passed by the Regional Flood Control District; 2) that she explore the possibility of putting in place mechanisms to fine or charge those businesses that are causing the odor problems in the alleys along East Fremont Street; and 3) that all involved in law enforcement start the dialogue, internally and externally, with local residents about the importance of funding more police officers.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Administrative

Item 51 - Report and possible action on progress of the formation and implementation of the Downtown Entertainment Overlay District on East Fremont Street and direct staff accordingly (Multiple APNs - District bound by Las Vegas Boulevard, Ogden Avenue, 8th Street, and Carson Avenue)

MINUTES – Continued:

There was no further discussion.

(10:01 – 10:36)

1-1873

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM -- Hearing, discussion and possible action regarding complaint seeking disciplinary action against Li Sheng Zhang d/b/a Joyful Massage Therapy, 2009 Paradise Road, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Hearing, discussion and possible action regarding disciplinary complaint.

RECOMMENDATION:

Recommend revocation of Massage Establishment License No. M03-000105-4-092697.

BACKUP DOCUMENTATION:

Complaint for Disciplinary Action

MOTION:

REESE – APPROVED REVOCATION of the permanent license – UNANIMOUS with L.B. McDONALD not voting

NOTE: COUNCILMAN MACK disclosed that he is a consultant for a nearby SuperPawn shop owned by his brother, STEVEN MACK, who has not spoken to him on this matter. COUNCILMAN MACK did not believe this matter would have any impact on his brother's business; therefore, he would be voting.

NOTE: The hearing was reopened for stipulation of additional facts pertaining to lack of prior revocations and further arguments submitted by licensee's attorney.

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

MAYOR GOODMAN

COUNCILMAN MACK

COUNCILMAN REESE

BRAD JERBIC, City Attorney

JOHN WAWERNA, Attorney for Li Sheng Zhang, who was also present

(11:04 – 11:07)

2-985

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Assignment of Sportspark Management Agreement to Great American Capital, Inc. and other matters relating thereto (1400 North Rampart Boulevard) - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Las Vegas Sportspark filed for bankruptcy on July 3, 2002. On September 23, 2003, the Bankruptcy Court approved a sale of the Sportspark Management Agreement to Great American Capital, Inc. subject to approval of the Assignment by the City of Las Vegas.

RECOMMENDATION:

Approval of the Assignment.

BACKUP DOCUMENTATION:

Sportspark Management Agreement dated July 14, 1997 and First Amendment dated June 25, 1998

MOTION:

BROWN – APPROVED as recommended – UNANIMOUS with L.B. McDONALD not voting

MINUTES:

HASKEL INY and his attorney, DOUG DRIGGS, were present.

CITY ATTORNEY JERBIC went over the information under the Purpose/Background header. As indicated in the backup documentation, an assignment of the management agreement in this case shall not be unreasonably withheld, but shall be based upon the financial wherewithal of the company receiving the management agreement and their ability to manage it. His staff reviewed materials forwarded by Great American Capital and found that this company is a fine candidate to accept this Assignment. He noted that Great American Capital would be back before the Council in the future requesting the Council's assignment to its newly created subsidiary LLC. Staff recommends approval.

COUNCILMAN BROWN stated that Great American Capital has a track record and met all the criteria for this Assignment. He is really excited about the creative opportunities they have presented.

There was no further discussion.

(11:07 – 11:11)

2-1027

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Douglas Anthony Wassmuth,
2050 W. Warm Springs Road #212, Henderson, Nevada 89014

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
Submitted after final agenda – withdrawal letter by applicant

MOTION:

**REESE – Motion to bring forward and Accept WITHDRAWAL of Item 54 and STRIKE
Item 55 - UNANIMOUS**

MINUTES:

There was no discussion.

(9:42 – 9:43)

1-1155

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Ryan Perdue, 10250 Chigoza Pine Avenue, Las Vegas, Nevada 89135

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and Accept WITHDRAWAL of Item 54 and STRIKE Item 55 - UNANIMOUS

MINUTES:

There was no discussion.

(9:42 – 9:43)

1-1155

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing regarding the proposed increases for sewer connections and user service fees by forty percent over two years, and institution of a new five percent assessment on sewer users for the City's use, improvement, and maintenance of its rights-of-way utilized to provide sewer services - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

During the last ten years, without increasing sewer rates, the City has performed more than \$170,000,000 in capital improvements to increase capacity, comply with new regulatory standards and improve operational efficiency. Due to these expenditures, the remaining reserve funds will be depleted by the end of fiscal year 2005. Rate studies indicate that a forty percent increase over the next two years, coupled with annual Consumer Price Index adjustments thereafter, will be sufficient to regain a reserve balance for future needs. Additionally, due to the sewer systems use of City rights-of-way, a five percent assessment fee is being recommended.

RECOMMENDATION:

Recommendation to be given following the public hearing.

BACKUP DOCUMENTATION:

Submitted at the meeting: five-page packet of information on sewer rates that Mr. Vincent showed on the overhead

MOTION:

None required. The Public Hearing was held.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MARK VINCENT, Director of Finance and Business Services, advised that this matter relates to Bill No. 2003-91, which is Item No. 75 on this Agenda. One of the issues facing the City is that, regardless of how much discharge and population, it is limited to 334 pounds of maximum nutrient load to be discharged into Lake Mead. Because the City discharges its treated sewer water into its drinking water supply, significantly high standards have to be maintained. As the City grows in population, the water has to be treated more stringently.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Finance and Business Services

Item 56 – Public hearing regarding the proposed increases for sewer connections and user service fees by forty percent over two years, and institution of a new five percent assessment on sewer users for the City's use, improvement, and maintenance of its rights-of-way utilized to provide sewer services

MINUTES – Continued:

He presented documentation, which is made a part of these minutes, on the overhead and stated that the problem facing the City is that it is at the far end of the tertiary level of treatment, where more technology is necessitated to treat the water, which in turn exponentially drives up the cost of sewer treatment. Despite its current position, the City has not raised sewer rates for ten years.

Referring to the document titled Sewer Rate Bill No. 2003-91, MR. VINCENT mentioned that the proposed increase would phase in over two years. Meetings were held with several organizations, including the Southern Nevada Homeowners Association, Nevada Taxpayers Association, and with SENATOR MAGGIE CARLTON, who expressed concern about an increase attached to the Consumer Price Index (CPI). To avoid a rate shock, proposed Bill No. 2003-91 includes a provision limiting future CPI growth after 2005. This will allow the City to adjust both rates annually on a three-year CPI average or 5%, whichever is less. There is also language removing the \$3 convenience charge for quarterly payments and requiring the director of Finance and Business Services to establish a hardship program for owner/occupants.

Finally, using the Comparative Annual Sewer Rates, MR. VINCENT went over sewer rates for some local and other cities throughout the Southwest. He pointed out that the cities of San Francisco and San Diego are already double what the City's rates will be in two years without the same level of treatment. Atlanta has to triple its rates within the next five years to pay for a \$2.5 billion capital program to deal with some Environmental Protection Agency issues. He pointed out that the City treats its sewage to an extreme level, yet at a very reasonable price, comparatively.

RUDY DURSO, 7644 Picnic Street, expressed his appreciation to the Mayor for appointing him to the Senior Citizens Advisory Committee, as well as to COUNCILMAN MACK for recommending him. Regarding sewer rates, he complained about the 40% sewer rate increase over the next two years. That is very high for a person on social security and on a fixed income. Coming from the retail business, he suggested the City thoroughly look at its operation to save money to make the necessary improvements rather than raise rates, and a moratorium should be established on City employee raises. All utilities' rates are increasing astronomically, but the pockets of the taxpayers are not so deep that they can keep paying. He welcomed COUNCILWOMAN MONCRIEF and commended the other Councilmembers for doing such a fine job. City Councilmembers should work full time and be compensated more money, so that they can concentrate on running the great City of Las Vegas.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Finance and Business Services

Item 56 – Public hearing regarding the proposed increases for sewer connections and user service fees by forty percent over two years, and institution of a new five percent assessment on sewer users for the City's use, improvement, and maintenance of its rights-of-way utilized to provide sewer services

MINUTES – Continued:

COUNCILMAN WEEKLY indicated that he was briefed on this matter, and it would be unfair to blame MR. VINCENT when he is only relaying the facts. He is concerned about how this increase will affect some of his constituents. Some of them literally have to decide between food and medicine. As far as a hardship program, he would like literature put together to fully explain to his constituents how to obtain assistance.

AL GALLEGOS, Las Vegas citizen, stated that the City of North Las Vegas is hooked into the City sewer and they are also growing very rapidly. They should be made to pay their fair share for sewer services so that City of Las Vegas residents do not have to pay so much. Also, there are rumors that North Las Vegas is going to start discharging into Lake Mead. He stressed that he is concerned about how he is going to pay for the proposed sewer increases.

TODD FARLOW, 240 N. 19th Street, supported paying the full rate to make sure the water is adequately cleaned.

TOM MCGOWAN, Las Vegas resident, commented that the solution should be a formulated plan. He questioned who is working on such a plan; if not, why not?

RAY LUCCHESI, Lucchesi Galati Architects, 500 Pilot Road, discussed an opportunity to take advantage of a group of local professionals willing to donate time to study alternate natural ways of cleansing the water that could result in park-like environments. He offered his services for such a project. COUNCILMAN BROWN indicated that the Clean Water Coalition is addressing a new project to find alternative discharge locations at Lake Mead. But that is just a piece of the overall resource picture. He encouraged MR. LUCCHESI to become involved with the existing groups that are currently looking at ways to naturally deal with wastewater. MR. LUCCHESI should contact his or CITY MANAGER SELBY'S office for more information.

MAYOR GOODMAN asked if staff has explored the potential of spreading out the increase beyond the two-year period in order to avoid the rate shock. MR. VINCENT replied in the affirmative and stated that Hobbs Ong & Associates delved into several scenarios, including a financial model spreading the 40% rate increase over a longer period of time. Every model resulted in a negative cash flow in the third and fourth years. The proposed rate increase over two years is the only one that seems to work.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Finance and Business Services

Item 56 – Public hearing regarding the proposed increases for sewer connections and user service fees by forty percent over two years, and institution of a new five percent assessment on sewer users for the City's use, improvement, and maintenance of its rights-of-way utilized to provide sewer services

MINUTES – Continued:

MAYOR GOODMAN confirmed with MR. VINCENT that the 5% assessment, providing \$2 million annually to the City, has already been factored into the current budget. Understanding that the increase is necessary, MAYOR GOODMAN then expressed concern about the 5% assessment, because it alone would make a big difference to the constituents. He asked if there is any other way to replenish those funds, if the assessment were eliminated. MR. VINCENT speculated that the loss of revenue resulting from the elimination of the assessment would have to be absorbed within existing and future budgets, which translates into fewer resources for the Council to complete other goals. Ultimately, it is a choice the Council has to make.

MAYOR GOODMAN acknowledged that increases are necessary in order to maintain the quality of life enjoyed by so many residents. He just hopes that there are no future rate shocks. MR. VINCENT mentioned that he, the City Manager, and Public Works staff are concerned about the potential cost of the recommendations made by the Clean Water Coalition to minimize phosphorous emissions into Lake Mead, which was not considered in any of the financial models. The recommendations should be out by early next spring or summer. Alternate funding sources are being explored, even federal funding. CITY MANAGER SELBY rejoined that the Washington lobbyists have been briefed on this matter.

NOTE: COUNCILMAN WEEKLY directed MR. VINCENT to put together literature fully explaining the hardship program.

MAYOR GOODMAN declared the Public Hearing closed.

There was no further discussion.

(11:13 – 11:39)

2-1226

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Chinese Kickboxing International USA, LLC, dba Chinese Kickboxing International USA, LLC, 4241 West Charleston Boulevard, Suite E, William E. Garness, Mgr, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Bill Garness
3. Map

MOTION:

MONCRIEF – APPROVED as recommended - UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager of Business Services, stated that the applicant met the requirements for a temporary approval of the license. He recommended approval.

There was no further discussion.

(11:39 – 11:40)

2-2287

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a request for Exemption of a Rock Concert License and Rock Concert Permit, Matthew Ancira, dba Lift Ticket Artists Emporium, 8502 West Lake Mead Boulevard, Suite 2, Matthew Ancira, Founder - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a request for Exemption of a Rock Concert License and Rock Concert Permit

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Matthew Ancira
3. Map

MOTION:

BROWN – APPROVED subject to a two-year (11/16/05) review and directing staff to monitor and bring back any concerns to Council immediately - **UNANIMOUS**

MINUTES:

The applicant was present.

JIM DiFIORE, Manager of Business Services, reported that MR. ANCIRA provides a venue where rock bands perform for younger crowds. Las Vegas Municipal Code 6.73.030 requires that he obtain a rock concert promoters license and obtain a permit for each rock concert event. However, there is a provision for exemption of the license, in the form of a waiver, to rock concert promoters by the City Council if the event is a recognized charitable event. MR. DiFIORE recommended a period of review be imposed, if the waiver is approved.

MR. ANCIRA requested a waiver, stating that for the past two years he has founded and organized lift ticket benefit concerts. These concerts provide youth with other alternatives for entertainment throughout the year. Fifty percent of the entry fee is donated to The Shade Tree Shelter.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Finance and Business Services

Item 58 – Discussion and possible action regarding a request for Exemption of a Rock Concert License and Rock Concert Permit, Matthew Ancira, dba Lift Ticket Artists Emporium, 8502 West Lake Mead Boulevard, Suite 2, Matthew Ancira, Founder

MINUTES – Continued:

SERGEANT REAGAN ALEXANDER, Las Vegas Metropolitan Police Department (Metro), indicated that Metro ran a calls-for-service at the location and found no concerns or incidents requiring police assistance on any of the event dates. SERGEANT JOHN FARRELL also reported to him that there were no problems.

BRENDA DISSON, Executive Director of The Shade Tree, spoke in favor of this request. She indicated that she has worked 14 of these events and was amazed at the safety precautions taken to keep the youth safe. When the youth were dropped off, she observed that the parents felt comfortable in leaving their children. It is a very safe environment.

RANDY VOYARD indicated that he voluntarily works the concerts and sets the tone at the door for the kids by letting them know that this is an opportunity for them to have a good time and show their talent. Every effort is made to provide the youth with a safe environment. After every event, no matter the attendance, everyone pitches in to ensure the location is left in an orderly manner.

COUNCILMAN BROWN commended MR. ANCIRA for not only creating a safe alternative for a critical age group in the community, but also tying it to The Shade Tree. The police report and the surrounding neighbors have spoken very highly of these events, which is a rarity. COUNCILMAN BROWN noted that his son has attended two of these events with his friends and they enjoyed them very much because they felt safe. However, to ensure that others who might make the same request operate honestly, COUNCILMAN BROWN opted to impose a two-year review, directing staff to monitor and bring any concerns to the Council's attention immediately.

There was no further discussion.

(11:40 – 11:50)

2-2336

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FIRE & RESCUE**DIRECTOR: DAVID L. WASHINGTON**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a U. S. Department of Justice (DOJ) Grant Award, Community Oriented Policing Services (COPS) Interoperable Communications Technology Grant Program in the amount of \$5,996,103 (General Fund City match of \$490,957 in FY2004 and FY2005) - All Wards

Fiscal Impact☐**No Impact****Amount:** \$490,957 City match☐**Budget Funds Available****Dept./Division:** Fire & Info. Technologies☒**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This is a multi-jurisdictional project to integrate the region's public safety first responder agencies on the Southern Nevada Area Communication Council (SNACC) 800 megahertz radio system in order to achieve standardized communication interoperability among agencies responding to emergencies and disasters. This grant is a result of a directive from the City Management Committee for Emergency Operations. The proposed total grant is \$7,858,974 of which \$5,996,103 will be paid from the DOJ with the remaining 25% matching funds coming from various agencies throughout the valley.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval.

BACKUP DOCUMENTATION:

1. Grant Award (Award ID 79700)
2. U.S. Department of Justice Memorandum
3. Special Condition: Criminal Intelligence Systems/28 C.F.R. Part 23 Compliance

MOTION:

REESE – APPROVED as recommended - UNANIMOUS

MINUTES:

CHIEF DAVID WASHINGTON and CHIEF LOU AMELL, Las Vegas Fire and Rescue, were present. CHIEF WASHINGTON requested the Council's support of this issue. He indicated that CITY MANAGER SELBY and the Council directed his staff to pursue radio interoperability. This grant will assist with standardizing communications among safety agencies.

MAYOR GOODMAN noted that the City was praised at the Conference of Mayors for its application for these funds, which are very important. On 9-11 fire and police were not able to communicate with each other and, as a result, many lives were lost. He applauded those that put together the application for the grant. COUNCILMAN REESE thanked CHIEF WASHINGTON for his hard work.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Fire and Rescue

Item 59 – Discussion and possible action regarding a U.S. Department of Justice (DOJ) Grant Award, Community Oriented Policing Services (COPS) Interoperable Communications Technology Grant Program in the amount of \$5,996,103 (General Fund City match of \$490,957 in FY2004 and FY2005)

MINUTES – Continued:

There was no further discussion.

(11:50 – 11:53)

2-2810

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: LEISURE SERVICES

DIRECTOR: BARBARA P. JACKSON, DPA ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE ITEM - Discussion and possible action on an agreement between the Greater Las Vegas After-School All-Stars (formerly Greater Las Vegas Inner City Games) and the City of Las Vegas - All Wards

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

In an effort to continue providing community programming for inner city youth, the Greater Las Vegas After-School All-Stars (GLVASAS) approached the City of Las Vegas and Clark County about the possibility of joining their existing agreements with the Clark County School District (CCSD) for use of school facilities during non-school hours. The agreement would specify the terms by which they (GLVASAS) would operate and would not hinder the programming currently offered by the governmental entities. The attached agreement specifies terms between the City of Las Vegas and GLVASAS

RECOMMENDATION:

Staff recommends City Council approval

BACKUP DOCUMENTATION:

1. Agreement between GLVASAS and the City of Las Vegas
2. Agreement between GLVASAS and Clark County

MOTION:

REESE – APPROVED as recommended – UNANIMOUS with MONCRIEF not voting

MINUTES:

DR. BARBARA JACKSON, Director of Leisure Services, gave an overview of the information contained above under the Purpose/Background section. The City Attorney's Office reviewed and approved the agreement.

MAYOR GOODMAN confirmed with DR. JACKSON that entering into this agreement would have no impact on the City's budget.

COUNCILMAN REESE indicated that this program has been very successful. He thanked DEMA GUINN, who was in the audience, for her part in the inception of the Inner City Games.

There was no further discussion.

(11:11 – 11:13)

2-1139

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: LEISURE SERVICES**DIRECTOR: BARBARA JACKSON, DPA** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action regarding grant award funds in the amount of \$250,000 from the State Historic Preservation Office (SHPO) to the City of Las Vegas for the historic Las Vegas Post Office and Courthouse, 301 Stewart Avenue - Ward 5 (Weekly)

Fiscal Impact☒ **X****No Impact****Amount: \$250,000**☐**Budget Funds Available****Dept./Division: Leisure Services/Cultural**☐**Augmentation Required****Funding Source: State Historic Preservation Office****PURPOSE/BACKGROUND:**

The Nevada State Historic Preservation Office has initiated funding by the National Institute of Museum and Library Services (IMLS) for \$250,000 for the construction of exhibit-related improvements. This funding initiative will complete several core tasks helping to transform the building into an important institution

RECOMMENDATION:

Staff recommends City Council approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from State of Nevada
3. IMLS Funding Agreement

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, has a contract with the nearby Lady Luck Casino. However, he does not believe this would affect his brother-in-law's interest and he has not approached him regarding this matter.

MINUTES:

DR. BARBARA JACKSON, Director, and NANCY DEANER, Manager of the Cultural Affairs Division, Leisure Services, were present. MS. DEANER indicated that this project has received great support statewide and nationally. This funding initiative was brought by the State Historic Preservation Office and U.S. SENATOR HARRY REID'S office. Staff looks forward to future funding for this project.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Leisure Services

Item 61 – Discussion and possible action regarding grant award funds in the amount of \$250,000 from the State Historic Preservation Office (SHPO) to the City of Las Vegas for the historic Las Vegas Post Office and Courthouse, 301 Stewart Avenue

MINUTES – Continued:

COUNCILWOMAN McDONALD opined that it is a historic moment for the City to receive funding from the State of Nevada.

COUNCILMAN WEEKLY expressed his appreciation for this grant award. He believes this project will be well received.

There was no further discussion.

(11:53 – 11:55)

2-2965

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: LEISURE SERVICES**DIRECTOR: BARBARA P. JACKSON, DPA** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action of the expenditure of \$40,000 to support the efforts of the State of Nevada and the Nevada Women's History Project to commission a statue of Sarah Winnemucca for the National Statuary Hall in the United States Capitol, Washington, D.C. - All Wards

Fiscal Impact☐**No Impact****Amount:** \$40,000☐**Budget Funds Available****Dept./Division:** Leisure Services/Cultural☒**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

In 1864, Congress invited each state to contribute two statues of prominent citizens for permanent display in Statuary Hall in the United States Capitol. Nevada is one of two states which has only one statue on display. The Nevada Women's History Project initiated an effort to designate Sarah Winnemucca as Nevada's second statue. In 2001, the Nevada State Legislature approved legislation for the creation of the statue but did not provide funding. The Nevada Women's History Project has undertaken the responsibility to raise approximately \$100,000 statewide for the sculpture. Sarah Winnemucca (1844-1891) was a great Paiute leader, peacemaker, educator and advocate for justice. Her statue in the United States Capitol will commemorate an exemplary life that can be an inspiration for all.

RECOMMENDATION:

Recommendation is made by staff to support the statewide effort to raise sufficient funds to commission a statue

BACKUP DOCUMENTATION:

1. Agenda Memo
 2. Information packet on the Sarah Winnemucca Statue Project
 3. Press release from the Nevada Department of Cultural Affairs
 4. Information sheet on National Statuary Hall from the Architect of the Capitol
- Submitted after final agenda – Memorandum in support by Councilwoman McDonald
Submitted after final agenda – Support letters from Maureen Schnitzer, Betsy Lewis (President of Republican Women of Las Vegas), Jane Ellsworth Olive and Jan McWhirter

MOTION:

L.B. McDONALD – APPROVED a \$40,000 expenditure, to be reimbursed to the City if the statue is not erected – UNANIMOUS

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Leisure Services

Item 62 – Discussion and possible action of the expenditure of \$40,000 to support the efforts of the State of Nevada and the Nevada Women's History Project to commission a statue of Sarah Winnemucca for the National Statuary Hall in the United States Capitol, Washington, D.C.

MINUTES:

DR. BARBARA JACKSON, Director of Leisure Services, deferred to NANCY DEANER, Cultural Affairs Division Manager, who pointed out that the funds would go to the Nevada Women's History Project (NWHP), which is part of the Nevada Women's Fund, a separate 501-C3 organization that is moving forward with this project. Nevada is one of the few states that currently has only one statue in Statuary Hall. Most states have two. She called forward several members of this project to speak more about it.

CARRIE PORTER, State Chair of NWHP, indicated that the NWHP is a non-profit organization and is made up of unpaid members who have raised over \$70,000 since March of 2002 with the intent of erecting the statue in late 2004 or early 2005 at the latest. The Selection Committee narrowed down the sculptures to four, and the final sculptor will be chosen in February 2004.

MAYOR GOODMAN requested an estimate on the total cost of the statue and asked how much funding is anticipated in addition to that already collected. MS. PORTER answered that it is very difficult to identify the exact cost because of shipping costs. But she is almost certain that with the City's assistance the statue could be erected within the given timeframe. If not, they will continue fundraising until they have the necessary monies.

MAYOR GOODMAN asked if the potential sculptors are Nevadans. MS. PORTER responded that two of the four finalists are from Nevada, but the Selection Committee feels that any one of the four finalists would do an excellent job. Lastly, MS. PORTER commended DEMA GUINN, First Lady of the State of Nevada, for her hard work on this committee.

An unidentified member spoke and offered to provide any information on why Sarah Winnemucca was chosen. She indicated that brief biographies were provided to the Councilmembers. SARAH WINNEMUCCA was a remarkable woman who was honored by the people who met her and knew her.

DR. MARLENE ADRIAN, producer of the videotape on Sarah Winnemucca, indicated that copies of the videotape were provided to the libraries for those interested in learning more about this remarkable woman. Also, free videotapes are given to individuals that want to have video parties and donate the proceeds to this project. She noted that much of the funds were raised through grassroots efforts, but they really need a bigger donation to get this project completed.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Leisure Services

Item 62 – Discussion and possible action of the expenditure of \$40,000 to support the efforts of the State of Nevada and the Nevada Women's History Project to commission a statue of Sarah Winnemucca for the National Statuary Hall in the United States Capitol, Washington, D.C.

MINUTES - Continued:

MAYOR GOODMAN asked if other governmental agencies are being asked to contribute. CAROL CLANTON replied that the Winnemucca City Council and the County Commission gave \$2,000, the Fallon City Council gave \$1,000. The Committee intends to approach Storey County for funds, and Pershing County has already promised a contribution, depending on their budget.

JOYCE MOORE, KAYE GRAY, and JEANNIE GREENAWALT urged the City Council's support. MS. MOORE opined that this is a wonderful project that shows Nevada as a progressive state. MS. GRAY stated that everybody in Washington, D.C. is very aware that Nevada has only one statue. MS. GREENAWALT mentioned that this effort demonstrates that the women of Nevada are united.

Given that November is Native American Month, PATRICIA MARTINELLI-PRICE, homeless advocate, stated that it is wonderful to be close to completing this project. She noted that other states have already sent two statues. It is important that Nevada do the same.

ASSISTANT CITY ATTORNEY JOHN REDLEIN indicated that the Legislative Bill specifically talks about the director of the State Department of Museums being the payroll clerk for this project. Therefore, he requested that the Council not specify a payee in its motion, and he will make sure it is made to the proper agency and that the funds are earmarked for the Nevada Women's History Project.

COUNCILMAN BROWN thanked all the ladies for their efforts in this matter, as well as COUNCILWOMAN McDONALD for bringing this matter before the Council, which has a proven track record of taking a leadership role. But even though he fully supports what has been presented, he would prefer to see a list of donors before approving the full requested amount in order to see how much has been donated, especially by the State, since it created this project, and other Southern Nevada private and public sectors. He suggested a lesser amount be granted until the list of donors is reviewed. The Project can come back to the Council for additional funds if it has not raised the necessary funds by the allotted timeframe.

COUNCILWOMAN McDONALD advised that when she became aware of this project through her tenure as President of the Nevada League of Cities, she thought it shameful that many of the smallest municipalities had already stepped forward and contributed to this project. This is

CITY COUNCIL MEETING OF NOVEMBER 19, 2003

Leisure Services

Item 62 – Discussion and possible action of the expenditure of \$40,000 to support the efforts of the State of Nevada and the Nevada Women's History Project to commission a statue of Sarah Winnemucca for the National Statuary Hall in the United States Capitol, Washington, D.C.

MINUTES - Continued:

Native American History Month, and Sarah Winnemucca was the granddaughter of Chief Truckee, who brought John C. Fremont across the Great Basin. Without John C. Fremont there would be no Las Vegas. The City has financially supported many one-time issues, but this project will go in perpetuity. She recalled when her grandfather took her to the National Statuary Hall, at which time there were no statues of women. Whereas Sarah Winnemucca would be the eighth statue of a woman. She indicated her full support of contributing the requested amount of \$40,000, with the contingency that the money shall be returned to the City if the statue is not erected. She noted that she would feel proud to be able to take her grandchildren to Statuary Hall and stand before the statue of Sarah Winnemucca.

COUNCILMAN REESE ascertained that the Project members have raised approximately \$80,000 and that about \$150,000 is needed to complete the project. He then indicated that he agrees with points COUNCILWOMAN McDONALD made, as well as with some COUNCILMAN BROWN made. MS. PORTER indicated that the State considered giving \$100,000 but could not, given the budget crisis. COUNCILMAN BROWN felt it incumbent on the City to challenge other local municipalities. He asked COUNCILWOMAN McDONALD to reconsider and motion to award \$20,000, with a commitment to allow the Project to come back for additional funds if necessary. COUNCILWOMAN McDONALD pointed out that even if the City contributed \$40,000, the Project would still have to raise an additional \$30,000 to reach its \$150,000 mark. COUNCILMAN BROWN withdrew his suggestion and opted to support COUNCILWOMAN McDONALD's motion, stating that this is a significant project.

MAYOR GOODMAN suggested approving up to \$40,000, pending a review as to the efforts made to obtain donations from other municipalities. COUNCILWOMAN McDONALD insisted that the City of Las Vegas is the leader and the visionary of this Valley, with the best cultural division. Because of the connection to the creation of Las Vegas, the City of Las Vegas should make this commitment on behalf of its citizens and for future generations. She made a commitment to continue to work with this organization and use her influence to obtain more funds.

MS. MARTINELLI-PRICE felt that it was disrespectful to Native Americans to hesitate in giving funds for this project. Funds raised above the necessary amount could be used to take local children to visit Statuary Hall to see the statue of Sarah Winnemucca.

There was no further discussion.

(10:36 – 11:04)

1-3629

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

ABEYANCE ITEM - ANIMAL ADVISORY COMMITTEE – Gretchen Stone, Term
Expiration 4-3-2004 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This board is comprised of 5 members who serve two-year terms, no limit to the number of terms that may be served and no requirement to fill an unexpired portion of a term. There is no City residency requirement. Since Ms. Stone is moving out of state, it will be necessary to appoint a new member. At the Council Meeting of November 5, 2003, this item was abeyed to November 19, 2003.

RECOMMENDATION:

Procedure for this Board requires appointment by the City Council. Appointee will fill a new two-year term.

BACKUP DOCUMENTATION:

1. E-mail from Roger Van Oordt, Animal Control Supervisor, Detention & Enforcement, including resignation from Gretchen Stone
2. Current Listing and Authority - Animal Advisory Committee

MOTION:

MONCRIEF – ABEYANCE to 12/3/2003 – UNANIMOUS

MINUTES:

COUNCILMAN WEEKLY questioned the responsibilities of the members of this board. CITY CLERK RONEMUS indicated that this board is under the purview of Detention and Enforcement. To the best of her knowledge, the board is called to order through Municipal Court on dangerous animal situations. MAYOR GOODMAN rejoined that the board is tasked with determining whether the animal under consideration should be put down.

COUNCILWOMAN MONCRIEF requested abeyance, as the candidate she had in mind is no longer interested.

There was no further discussion.

(11:55 – 11:57)
2-3071

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS:

ABEYANCE ITEM - PLANNING COMMISSION – Craig Galati, Term Expiration 6-2005
(Resigned)

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: \$80 per meeting attended
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: Planning & Development
<input type="checkbox"/>	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

Mr. Craig Galati has resigned his position with the Planning Commission effective October 9, 2003. With the enactment of Ordinance 5193 in January 2000, this appointment is coterminous with the appointing Councilmembers' term of office, and will expire in June 2005. Terms are for four years with a limit of two full terms, and unexpired terms must be filled. Appointee must be a City of Las Vegas resident, and this is a compensatory board. At the Council Meeting of November 5, 2003, this item was abeyed to November 19, 2003.

RECOMMENDATION:

Procedure for this Board is a recommendation by the appropriate member of Council with the approval of Council. Councilman Brown is to recommend a new representative to fill Mr. Galati's unexpired term, which expires June 2005.

BACKUP DOCUMENTATION:

1. Letter of Resignation
2. Current Listing & Authority – Planning Commission
3. Board Interest Form – Darlene G. K. Hutchinson

MOTION:**BROWN – ABEYANCE to 12/3/2003 – UNANIMOUS****MINUTES:**

COUNCILMAN BROWN indicated he is interviewing three candidates.

There was no further discussion.

(11:57)
2-3162

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY MANAGER'S OFFICE**DIRECTOR: ELIZABETH FRETWELL**☐**CONSENT**☒**DISCUSSION****SUBJECT:****BOARDS AND COMMISSIONS:**

Approval of the Second Amendment to the Bylaws of the Commission for the Las Vegas Centennial to increase the number of directors to the Board and provide for other changes related thereto

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This amendment will enable the Commission to increase the number of directors to a minimum of six and up to a maximum of fifteen, and provide for the quorum number to transact business at Board meetings.

RECOMMENDATION:

It is recommended that the Second Amendment to the Bylaws of the Commission for the Las Vegas Centennial be approved by the Las Vegas City Council.

BACKUP DOCUMENTATION:

Second Amendment to the Bylaws of the Commission for the Las Vegas Centennial

MOTION:

GOODMAN – APPROVED as recommended – UNANIMOUS

MINUTES:

STACY ALLSBROOK, Leisure Services, advised that on 11/10/2003 the Committee voted to amend the bylaws to incorporate the Strip and downtown business owners on the board of directors. She requested approval.

There was no further discussion.

(11:57 – 11:58)

2-3195

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY MANAGER'S OFFICE

DIRECTOR: ELIZABETH FRETWELL

☐

CONSENT

☒

DISCUSSION

SUBJECT:

BOARDS & COMMISSIONS:

COMMISSION FOR THE LAS VEGAS CENTENNIAL: Appointment by the City Council of four Directors

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

On May 7, 2003, the Las Vegas City Council approved the creation of the Commission of the Las Vegas Centennial, a Nevada non-profit corporation. The amended Bylaws authorize the Las Vegas City Council to appoint and elect additional Directors to the Commission.

RECOMMENDATION:

Recommendation for appointment of four Directors:

Alan Feldman

Bill McBeath

Rossi Ralenkotter

Donald Snyder

BACKUP DOCUMENTATION:

None

MOTION:

GOODMAN – Motion to APPOINT the recommended directors – UNANIMOUS

Clerk to notify

MINUTES:

MAYOR GOODMAN briefly touched on some of the expertise of some of the appointees. They are all very interested in serving.

There was no further discussion.

(11:58 – 12:00)

2-3252

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-77 – Amends child care facility and personnel licensing provisions, and increases the membership of the City Child Care Licensing Board. Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill provides that the Child Care Licensing Board (Board) shall have the same number of members as the City Council, with each member of the City Council to appoint one member to the Board subject to Council approval. Final approval authority of child care facility licensees and directors will vest with the Board, with the right of appeal to the City Council being granted to current and prospective licensees. Emergency authority to suspend the licenses of child care facility licensees and approvals of directors will be vested with the Department of Finance and Business Services. Increases in the licensing fees for child care facilities are also being proposed.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting as a First Amendment pursuant to the 11/3/2003 Recommending Committee.

First Reading – 9/17/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-77 First Amendment

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as a First Amendment as Ordinance No. 5635 – **UNANIMOUS** with **GOODMAN** abstaining under advisement of the City Attorney because of his wife's involvement in the Meadows School Child Care Program, which might be affected by this bill

Clerk to proceed with second publication

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Recommending
Item 67 – Bill No. 2003-77

MINUTES:

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that the Recommending Committee recommended a first amendment in response to a concern by one of the childcare providers that the board makeup should consist of at least one but not more than two of those who are or have been involved in the industry. Additionally, minor amendments were made to the definition of a pre-school. He recommended approval of the first amendment and indicated that a business impact statement was not done on the basis that there was an earlier determination made by staff, in consultation with the City Attorney's office, that it would not have a direct or significant economic burden upon an existing business or directly restrict the formation, operation, or expansion of a business.

COUNCILMAN WEEKLY thanked staff for working with the industry.

NOTE: COUNCILMAN WEEKLY tasked MARK VINCENT, Director, Finance and Business Services, with sending out a notice of change to all childcare providers so that they fully understand them.

There was no further discussion.

(12:00 – 12:02)
2-3331

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-83 – Adopts the 2003 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

For many years the City has used the Uniform Building Code, together with local amendments, as the City's Building Code. The Uniform Building Code has been replaced by the International Building Code and International Residential Code, now in their 2003 editions. This bill will adopt those Codes, together with amendments, as the City's Building Code.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-83

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5636 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

PAUL WILKINS, Director of Building and Safety, indicated that staff worked for several months with members of the industry on this matter. He thanked those people from the industry and his staff who participated in the committees and in this effort.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Recommending
Item 68 – Bill No. 2003-83

MINUTES – Continued:

The following people spoke in support of adopting the International Building and International Residential Codes: NED HUTCHINSON, Director of Construction for Pulte Homes, ROCCO PROCK, Efficient Electric, BARRY DUNCAN, Southern Nevada Home Builders, JIM STROH, Stroh Architecture, JOHN ANDERSON, Swisher/Hall Architects, RAY LUCCHESSI, Lucchessi/Galati Architects, ED VANCE, JMA Architecture, CHIEF DAVID WASHINGTON, Las Vegas Fire and Rescue, and BRIAN WOODWARD, Fire Safety Engineers.

MAYOR GOODMAN expressed his appreciation to those that were involved in this process. It is always nice when the private and public sectors work together on a product that is beneficial to the community.

COUNCILMAN WEEKLY stated that MR. WILKINS and his staff did a wonderful job on this matter.

There was no further discussion.

(12:02 – 12:10)
2-3483

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-84 – Amends the City’s version of the Uniform Administrative Code to adapt it to the City’s adoption of the International Building Code and International Residential Code as the City’s Building Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In a companion bill, it is proposed that the City adopt the 2003 editions of the International Building Code and International Residential Code as the City’s Building Code. The City’s Administrative Code includes the administrative provisions that correspond to the Building Code, so this bill will amend the City’s Administrative Code to correspond to the adoption of the International Codes.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-84

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5637 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

PAUL WILKINS, Director of Building and Safety, was present.

See Item 68 for related discussion.

(12:10 – 12:11)

3-179

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-85 – Adjusts the building height, lot coverage, and on-site parking requirements and limitations applicable to senior citizen apartments, and adjusts the lot coverage limitations applicable to certain mixed-use developments that include a residential component. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Senior citizen apartments and similar residential uses that have the potential to form part of mixed-use developments have faced certain development difficulties relating to building height, lot coverage and on-site parking. This bill will adjust those restrictions so as to encourage and facilitate these types of development.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-85

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5638 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:11 – 12:12)

3-205

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-86 – Makes minor corrections to the maps that depict the boundaries of the downtown area as described in the Downtown Las Vegas Centennial Plan, the Las Vegas 2020 Master Plan, and the Downtown Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

A number of maps that were adopted as part of the City's Downtown Las Vegas Centennial Plan, Las Vegas 2020 Master Plan, and Downtown Overlay District vary slightly from the descriptions of the boundaries that were approved for those areas and that were intended to be represented by the maps. This bill will amend the various maps to conform them to the boundaries that were intended to be reflected in the maps.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-86

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5639 – UNANIMOUS

Clerk to proceed with second publication

NOTE: Before discussion under Item 83, Items 71 and 73 were revisited. COUNCILMAN MACK disclosed that although Lady Luck Hotel/Casino, with which his brother-in-law, ANDREW DONNER, has a contract, and SuperPawn, for which he does consulting and is owned by his brother, STEVEN MACK, are located in the vicinity, the uses will not affect his relatives' businesses; therefore he would be voting. CITY ATTORNEY JERBIC advised that a revote would not be necessary, as COUNCILMAN MACK's disclosure did not result in an abstention.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Recommending
Item No. 71 - Bill No. 2003-86

MINUTES:

There was no further discussion.

(12:12 – 12:13/12:37-12:38)

3-231/3-1094

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-87 – Requires all massage therapists and independent massage therapists to have their business licenses on their persons while performing massages, and changes the qualifying criteria for such licensing. Proposed by Mark Vincent, Director of Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will enhance City code enforcement efforts, by requiring that all massage therapists and independent massage therapists have their business licenses on their persons while performing massages. Additionally, this bill repeals the requirement for a certificate of graduation from a recognized school of massage as a requirement of licensing and instead requires that a person be certified by a recognized certifying agency as proficient in massage or that he or she has a current license with Clark County in order to be licensed.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-87

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5640 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:13)

3-252

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-88 – Interim warrant ordinance providing for the issuance of a General Obligation Interim Warrant for Special Improvement District No.1502 (Grand Montecito Parkway) not to exceed \$6,000,000 - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$6,285,000 (including interest)☒**Budget Funds Available****Dept./Division:** Public Works - S.I.D.☐**Augmentation Required****Funding Source:** Special Assessments**PURPOSE/BACKGROUND:**

This ordinance authorizes and directs the issuance of a general obligation interim warrant for the payment of the costs and expenses within Special Improvement District No.1502 (Grand Montecito Parkway). Grand Montecito Parkway is part of the Town Center loop road system. The project will include installation of full-width pavement, median islands, storm drain facilities, curb and gutter, streetlights, commercial driveways, fire hydrants, sewer mains and laterals, and water mains and laterals. This obligation is expected to be refinanced through the issuance of General Obligation Bonds in or about March 2005. The Interim Warrant (as well as any later bond refinancings) is a general obligation of the City, though property assessments are expected to provide the funding necessary for all debt service requirements.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

[BACKUP DOCUMENTATION:](#)

Bill No. 2003-88

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5641 – UNANIMOUS

NOTE: When this matter was first considered MAYOR GOODMAN asked CITY ATTORNEY JERBIC whether he should abstain because he owns property with one of the principals, JEROME SNYDER, even though he did not believe he would benefit from this matter in any way. CITY ATTORNEY JERBIC indicated that this matter is regarding interim warrants to

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Recommending
Item 73 – Bill No. 2003-88

MOTION - Continued:

build Grand Montecito Parkway and it does not appear on the surface that there would be a direct benefit to the Mayor or MR. SNYDER as a result of the friendship. Moreover, before discussion under Item 83, Items 71 and 73 were revisited. MAYOR GOODMAN further disclosed that MR. SNYDER is a partner in the APEX project, in which he too is a minority shareholder. MR. SNYDER also co-owns a piece of land, which is presently under escrow, at 5th Street and Deer Springs. CITY ATTORNEY JERBIC clarified that MAYOR GOODMAN is one of several other owners of the APEX property. MAYOR GOODMAN indicated that he owns about 4% of the property, which is under multiple ownership with several LLC's.

Clerk to proceed with second publication

MINUTES:

At the time MAYOR GOODMAN further clarified his disclosure, AL GALLEGOS, citizen of Las Vegas, interjected that COUNCILMAN MACK should examine his conscience and also abstain.

There was no further discussion.

(12:13 – 12:15/12:38 – 12:39)

3-272/3-1094

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-90 – Amends Ordinance No. 5616, pertaining to drought conservation measures, to adjust the exemption provisions relating to the prohibition of fountains and water features.

Proposed by: Douglas Selby, City Manager

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill would adjust the recently-adopted drought conservation ordinance to establish, instead of merely authorize, exemptions for certain water features. Among them: swimming pools, small water features in residential developments, recreational water features, and pre-existing features necessary to sustain aquatic animals. The bill would also 1) establish a process for resort hotels or coalitions thereof to obtain an exemption for certain water features based upon a request for exemption and the submittal of a water use reduction plan, and 2) provide for the limited operation of water features otherwise prohibited during drought conditions in order to maintain their integrity and functionality.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-90

MOTION:

GOODMAN – ABEYANCE to 12/3/2003 to allow discussion with the Water Authority – UNANIMOUS

NOTE: Mayor Goodman made a previous motion to rescind Councilman Weekly's initial motion for approval as recommended. Both motions carried unanimously. Prior to that, Councilman Brown's motion to recall this matter also carried unanimously.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Recommending
Item 74 – Bill No. 2003-90

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

MAYOR GOODMAN

COUNCILMAN WEEKLY

ALFONSO AYALA III, Intern with the City Attorney's Office

COUNCILMAN REESE

PETER THOMAS, Thomas & Mack Company

TOM MCGOWAN, Las Vegas resident

COUNCILWOMAN McDONALD

NOTE: COUNCILMAN BROWN directed CITY MANAGER SELBY to, within the next 30 to 60 days, discuss and resolve with the Southern Nevada Water Authority a possible amendment to the drought conservation measure that would allow office park and commercial property owners to request an exemption to the fountain provision, as long as a water use reduction plan is submitted showing significant water savings in other areas, such as xeriscaping, replacing grass with synthetic turf, or retrofitting public open space.

(12:15 – 12:33)

3-321

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-91 – Increases sewer connection and user service fees by forty percent over two years and institutes a new five percent assessment on sewer users for the City's use, improvement and maintenance of its rights-of-way utilized to provide sewer services. Proposed by Mark Vincent, Director of Finance and Business Services

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

During the last ten years, without increasing sewer rates, the City has performed more than \$170,000,000.00 in capital improvements to increase capacity, comply with new regulatory standards and improve operational efficiency. Due to these expenditures the remaining reserve funds will be depleted by the end of the fiscal year 2005. Rate studies indicate that a 40% increase over the next two years, coupled with annual Consumer Price Index adjustments thereafter will be sufficient to regain a reserve balance for future needs. Additionally, due to the sewer systems use of City rights-of-way, a 5% assessment in lieu of franchise fees is being recommended. This bill addresses both of these issues.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/3/2003 Recommending Committee.

First Reading – 10/29/2003; First Publication – 11/7/2003

BACKUP DOCUMENTATION:

Bill No. 2003-91 First Amendment

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5642 – UNANIMOUS

Clerk to proceed with second publication

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Recommending
Item 75 – Bill No. 2003-91

MINUTES:

NOTE: COUNCILMAN WEEKLY requested that his comments under Item 56 of this Agenda regarding the hardship program be incorporated in this item.

See Item 56 for related discussion.

(12:33 – 12:34)
3-922

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-93 – Readopts LVMC 10.02.010 to make all State misdemeanors likewise City misdemeanors. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Pursuant to LVMC 10.02.010, any offense that constitutes a misdemeanor under State law is also a misdemeanor under City law if it is committed within the corporate boundaries of the City. This permits prosecution of such an offense in Municipal Court. In order to assure that LVMC 10.02.010 is interpreted to incorporate State-law changes made during the 72nd Session and 20th Special Session of the Nevada Legislature, LVMC 10.02.010 should be readopted. This bill will accomplish that objective.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/8/2003

BACKUP DOCUMENTATION:

Bill No. 2003-93

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5643 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:34 – 12:35)

3-966

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-94 – Establishes a traffic signal impact fee program for the City pursuant to State law. Proposed by: Richard D. Goecke, Director of Public Works

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill is a reintroduction of Bill No. 2003-82, which was unable to be adopted because of the rescheduling of the October 15th Council meeting. The bill will establish a traffic signal impact fee program as authorized by State law. Under the program, new development will contribute moneys to help fund the installation of traffic signals. The contribution in each case will be in accordance with a fee schedule to be adopted by the City Council. Fee amounts will correspond to the land use assumptions and capital improvements plan that have been adopted by the Council.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/8/2003

BACKUP DOCUMENTATION:

Bill No. 2003-94

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5644 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:35)

3-984

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-96 – Amends Ordinance No. 5569, pertaining to Annexation Case A-0038-02(A), to correct the listing of the City zoning designations for two development parcels. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill would amend Ordinance No. 5569, pertaining to Annexation Case A-0038-02(A), to correct the listing of the City zoning designations for two development parcels. The correction is merely a housekeeping item and reflects the zoning designations that the City and the property owners consider to be applicable.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/8/2003

BACKUP DOCUMENTATION:

Bill No. 2003-96

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5645 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:35 – 12:36)

3-1001

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2003-98 – Ordinance Creating Special Improvement District No. 1501 – Downtown Street Rehabilitation Phase III Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$88,986.25

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The work is being performed in conjunction with a street rehabilitation project which will include construction and installation of asphalt paving, curb and gutter, sewer main, and streetlights. The District boundaries are Fremont Street on the north, 15th Street on the east, Charleston Boulevard on the south and 13th Street on the west. The District will fund the cost of new streetlights only. Funding for the other project improvements will be provided by Street Rehabilitation and Sanitation.

RECOMMENDATION:

ADOPTION at 11/19/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/8/2003

BACKUP DOCUMENTATION:

Bill No. 2003-98

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5646 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:36 – 12:38)

3-1028

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-92 – Annexation No. ANX-2874 – Property location: On the west side of Rainbow Boulevard, 315 feet south of Red Coach Avenue; Petitioned by: John P. Neal, et al.; Acreage: 5.25 acres; Zoned: R-E (County zoning), R-E and U (O) (City equivalents). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Rainbow Boulevard, 315 feet south of Red Coach Avenue. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 12, 2003) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 12/03/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/21/2003

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

12/3/2003 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-95 – Expands the types of uses that are permitted in the C-V Zoning District by means of special use permit. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Currently, cemeteries and mausoleums may be operated in the C-V (Civic) District by means of special use permit, but only if the parcel or use is owned or controlled by a governmental entity. In addition, mortuary and funeral home uses are not permitted in the C-V District at all. This bill will allow all those uses, even those that are owned privately, in the C-V District by means of special use permit.

RECOMMENDATION:

ADOPTION at 12/03/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/21/2003

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

12/3/2003 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2003-97 – Ordinance Creating Special Improvement District No. 1493 - Hualapai Way/Alexander Road Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$968,158.54

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, “L” type curb and gutter, sidewalks, driveway approaches, water laterals, sewer laterals, and streetlights.

RECOMMENDATION:

ADOPTION at 12/03/2003 City Council meeting pursuant to the 11/17/2003 Recommending Committee.

First Reading – 11/5/2003; First Publication – 11/21/2003

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

12/3/2003 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-99 – Annexation No. ANX-3087 – Property location: North of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way; Petitioned by: Land Title of Nevada, et al.; Acreage: 28.63 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located north of Centennial Parkway, east of Puli Road, south of Grand Teton Drive and west of Hualapai Way. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (December 12, 2003) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-99 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

12/1/2003 Recommending Committee

12/3/2003 Council Agenda

(12:39 – 12:41)

3-1141

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-100 – Amends the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area to consolidate and update the Plan's land use designations, and to extend the duration of the Plan as permitted by State law. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill formalizes the City Council's recent approval of an amendment to the Redevelopment Plan to consolidate and update the Plan's land use designations, and to extend the duration of the Plan for an additional five years as permitted by State law.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-100

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

12/1/2003 Recommending Committee

12/3/2003 Council Agenda

(12:39 – 12:41)

3-1141

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-101 – Allows bailbond services in the C-1 Zoning District by means of special use permit. Sponsored by: Councilman Lawrence Weekly

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Currently, bailbond services are permitted by means of special use permit in the C-2, C-M and M Zoning Districts, but not in the C-1 District. It has been suggested that this use has no greater potential for impact on surrounding areas than other office and service commercial uses typically allowed in the C-1 District. This bill is intended, then, to allow the use in the C-1 District by means of special use permit.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-101

MOTION:**None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

12/1/2003 Recommending Committee

12/3/2003 Council Agenda

(12:39 – 12:41)

3-1141

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-102 – Appropriates a percentage of the annual capital improvements budget for securing, installing and maintaining works of art at City capital improvement projects.

Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This bill establishes a Percent for the Arts program (Program) which requires the City Council to appropriate a minimum of one percent of the City's annual capital improvements budget to the Municipal Arts Fund for the purpose of providing works of art at capital improvement projects. This proposed Program is modeled after similar existing programs in the cities of Reno, Nevada; Seattle, Washington; Phoenix, Arizona; San Francisco, California; and, Chicago, Illinois. Expenditures of funds appropriated for the Program may only be made in compliance with the Municipal Arts Plan approved by the City Council. Passage of this bill could generate approximately \$150,000 annually for public art based on estimated annual capital project funding from the general fund or from bonds proceeds that will be repaid from general fund revenues.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing, and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-102

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

12/1/2003 Recommending Committee

12/3/2003 Council Agenda

(12:39 – 12:41)

3-1141

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2003-103 – Prohibits the use of residential streets for the test-driving of vehicles offered for sale or lease by a vehicle dealership. Sponsored by: Councilwoman Janet Moncrief and Mayor Oscar B. Goodman

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

In some areas of the City, customers and employees of vehicle dealerships use nearby residential streets for the test-driving of vehicles that are being offered for sale or lease. This bill will generally prohibit that practice and, in addition to traditional enforcement tools, will provide that violations by dealership personnel may result in license disciplinary action.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-103

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

12/1/2003 Recommending Committee

12/3/2003 Council Agenda

(12:39 – 12:41)

3-1141

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2003-104 – Allows trucking companies in the C-2 Zoning District by means of special use permit. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Moving companies and other trucking companies currently are allowed to conduct operations only within the C-M and M Zoning Districts. It is believed that this limitation is too restrictive and that these operations, if limited in scope, can be permitted appropriately in the C-2 Zoning District by means of special use permit. This bill will accomplish the change and establish minimum standards for approval that will limit on-site activities as well as the number of trucks and trailers that can be parked or stored on-site.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2003-104

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

12/1/2003 Recommending Committee

12/3/2003 Council Agenda

(12:39 – 12:41)

3-1141

THE MORNING SESSION RECESSED AT 12:41 P.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, DAVID CHESNOFF, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

COUNCILMAN REESE requested that staff advise the applicant for Items 119 and 120 that these items would definitely be heard on December 17, 2003 with no further abeyances.

ROBERT GENZER, Director, Planning and Development Department, indicated that Item 155A [GPA-3066], Item 155B [ZON-3071], Item 155C [SUP-3073] and Item 155D [SDR-3079] were placed on the agenda. However, since that time, it was determined that the Planning Commission announced these items would be heard on December 3, 2003; therefore, no action can be taken. Further, on December 3 there will be a request to hold these items in abeyance to December 17, 2003 at the request of COUNCILMAN MACK since he will be absent from the December 3 meeting.

COUNCILMAN MACK requested that Item 106 be held in abeyance to the December 17, 2003 Council meeting at the request of a property owner. He explained that MARY BARTAS is a respected property owner in the area and is being represented by MR. JIM LEAVITT. MR. LEAVITT very recently donated one of his kidneys to his father, Supreme Court Justice MYRON LEAVITT, and both father and son are currently recovering. Out of respect to MR. LEAVITT, he would like the item held.

COUNCILWOMAN L.B. McDONALD stated for the record that the disclosures she made for Items 90, 91, 96, 99 and 100 during the morning Council session should have been made as they relate to the afternoon session consent calendar. Therefore, she requested that the disclosures be applied to those items accordingly.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Item 89

MINUTES -- Continued:

CLEVELAND AVERY, Las Vegas resident, indicated there were a number of people in the audience who were opposed to and were present specifically for Item 132 [ZON-3051] and wished to go forward with the item, which had been held in abeyance to the December 17, 2003 Council meeting. He submitted a petition containing 126 signatures in opposition to the application.

MAYOR GOODMAN apologized for the delay and indicated the applicant personally requested the abeyance of this item in order to meet with the neighborhood. MR. AVERY replied that a neighborhood meeting is not necessary because this project is unwanted. He advised that the neighbors desired the zoning designation on this specific site to remain unchanged and an alternative type of business to be located there which would conform to the current zoning.

ROLAND DHONDT, 500 Freeman Avenue, stated his opposition to Item 132 [ZON-3051]. He felt the project would create a danger to the many pedestrians and school children in the area because of the truck traffic. MAYOR GOODMAN verified that MR. DHONDT could attend the next Council meeting and asked that he reserve his comments for that meeting.

COUNCILMAN WEEKLY stated, as an abundance of caution, that Item 132 had been held in abeyance to December 17, 2003, rather than December 3. He advised that the residents in the area would receive a reminder notification.

VIRGINIA HODGES, 1654 E Street, expressed her concern regarding the zone change and indicated that the area residents wished the current zoning designation to remain unchanged. COUNCILMAN WEEKLY reiterated that the item would be heard on December 17, 2003 and the neighborhood would be notified of the time and place of the meeting.

MR. GENZER suggested that Item 132 either be placed as the first agenda item on December 17 or designated as a time certain item. As a courtesy to the neighbors present in the audience, MAYOR GOODMAN directed that Item 132 [ZON-3051] be placed on the December 17, 2003 agenda as a time certain item to be heard at 1:30 p.m.

DEPUTY CITY ATTORNEY BRYAN SCOTT pointed out that, if necessary, disclosures should be made by the appropriate Councilpersons relative to any items being held in abeyance even though they could participate in the vote for abeyance.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

- EXTENSION OF TIME - SPECIAL USE PERMIT
- 90 EOT-3008 - Centennial Centre, Limited Liability Company
 - 91 EOT-3009 - Centennial Centre, Limited Liability Company
 - 92 EOT-3010 - Centennial Centre, Limited Liability Company
 - 93 EOT-3011 - Centennial Centre, Limited Liability Company
 - 94 EOT-3012 - Centennial Centre, Limited Liability Company
 - 95 EOT-3013 - Centennial Centre, Limited Liability Company
 - 96 EOT-3014 - Centennial Centre, Limited Liability Company
 - 97 EOT-3015 - Centennial Centre, Limited Liability Company
 - 98 EOT-3016 - Centennial Centre, Limited Liability Company
 - 99 EOT-3017 - Centennial Centre, Limited Liability Company
 - 100 EOT-3018 - Centennial Centre, Limited Liability Company

DISCUSSION/ACTION ITEMS

- REVIEW OF CONDITION - PUBLIC HEARING
- 101 ROC-2914 - Pardee Homes of Nevada, et al
 - 102 ROC-3053 - D.R. Horton on behalf of D’Nal I, Limited Liability Corporation, et al
 - 103 ROC-3218 - Henry Brent Company, Limited Liability Company on behalf of Steadfast AMX I, Limited Liability Company and Steadfast AMX II, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
- 104 ABEYANCE ITEM - SDR-2587 - Green Harrington & Howell, Limited Liability Company on behalf of Sherry Sobel Harris
 - 105 SDR-2928 - American Premiere Homes on behalf of Grand View Apartments, Limited Liability Company
- STREET NAME CHANGE - PUBLIC HEARING
- 106 SNC-3092 - City of Las Vegas
- WAIVER - PUBLIC HEARING
- 107 WVR-3030 - Saint Jane’s Care Home on behalf of Rosita Sy
- VACATION - PUBLIC HEARING
- 108 VAC-3019 - R/S Development on behalf of Westview, Limited Liability Company
 - 109 VAC-3057 - Leo A. Daly – Architects on behalf of the County of Clark (UMC)

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

INDEX

City Council Meeting of November 19, 2003

- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-3057
110 **SDR-3054** - Leo A. Daly – Architects on behalf of the County of Clark (UMC)
- REQUIRED ONE YEAR REVIEW - VARIANCE - PUBLIC HEARING
111 **RQR-3111** - Robert J. and Virginia L. Good
- VARIANCE - PUBLIC HEARING
112 **VAR-3065** - Tomasa Chavez on behalf of Best Group, Inc.
- SPECIAL USE PERMIT RELATED TO VAR-3065 - PUBLIC HEARING
113 **SUP-3064** - Tomasa Chavez on behalf of Best Group, Inc.
- VARIANCE - PUBLIC HEARING
114 **VAR-3076** - Taney Engineering on behalf of Azure Rio Vista, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3076 - PUBLIC HEARING
115 **SDR-3078** - Taney Engineering on behalf of Azure Rio Vista, Limited Liability Company
- REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING
116 **RQR-3024** - Gateway Motel, Inc.
117 **RQR-3170** - Faith Lutheran Thriftstore on behalf of Wing Fong and Associates and Fremont, Limited Partnership
- REQUIRED REVIEW - PUBLIC HEARING
118 **RQR-3023** - Marshall Family, Limited Partnership
- SPECIAL USE PERMIT - PUBLIC HEARING
119 **ABEYANCE ITEM - SUP-2759** - Reagan National Advertising on behalf of William P. Miguel, et al
120 **ABEYANCE ITEM - SUP-2760** - Reagan National Advertising on behalf of William P. Miguel, et al
121 **ABEYANCE ITEM - SUP-2848** - Reagan National Advertising on behalf of C O G III, Limited
122 **SUP-2962** - Koster Finance on behalf of Ceagle Spirit, Limited Liability Company
123 **SUP-3002** - Katsum, Inc. on behalf of Christopher & Cynthia Hill

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of November 19, 2003

- SPECIAL USE PERMIT - PUBLIC HEARING
- 124 **SUP-3042** - Biloxi Investments, Limited Liability Company on behalf of Arthur and Jean Grant
- 125 **SUP-3059** - Las Vegas Billboards on behalf of Thomas & Barbara Walsh
- 126 **SUP-3061** - Las Vegas Billboards on behalf of Wing Gay Fong
- REZONING - PUBLIC HEARING
- 127 **ABEYANCE ITEM - ZON-2849** - Land Development on behalf of Maple Development, Limited Liability Company
- VARIANCE RELATED TO ZON-2849 - PUBLIC HEARING
- 128 **ABEYANCE ITEM - VAR-2855** - Land Development on behalf of Maple Development, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2849 AND VAR-2855 - PUBLIC HEARING
- 129 **ABEYANCE ITEM - SDR-2850** - Land Development on behalf of Maple Development, Limited Liability Company
- REZONING - PUBLIC HEARING
- 130 **ZON-3047** - Marcus Allen
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3047 - PUBLIC HEARING
- 131 **SDR-3048** - Marcus Allen
- REZONING - PUBLIC HEARING
- 132 **ZON-3051** - Ewing Brothers, Inc.
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3051 - PUBLIC HEARING
- 133 **SDR-3052** - Ewing Brothers, Inc.
- REZONING - PUBLIC HEARING
- 134 **ZON-3067** - Bell Real Estate, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3067 - PUBLIC HEARING
- 135 **SDR-3070** - Bell Real Estate, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

INDEX

City Council Meeting of November 19, 2003

- REZONING - PUBLIC HEARING
136 **ZON-3080** - Carina Corporation, et al
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3080 - PUBLIC HEARING
137 **SDR-3082** - Carina Corporation, et al
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
138 **GPA-2513** - City of Las Vegas
- REZONING RELATED TO GPA-2513 - PUBLIC HEARING
139 **ZON-2515** - City of Las Vegas
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
140 **GPA-2633** - Cottonwood Creek Apartments, Limited Liability Company
- REZONING RELATED TO GPA-2633 - PUBLIC HEARING
141 **ZON-2634** - Cottonwood Creek Apartments, Limited Liability Company
- VARIANCE RELATED TO GPA-2633 AND ZON-2634 - PUBLIC HEARING
142 **VAR-2958** - Cottonwood Creek Apartments, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2633, ZON-2634 AND VAR-2958 - PUBLIC HEARING
143 **SDR-2635** - Cottonwood Creek Apartments, Limited Liability Company
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
144 **GPA-3043** - George Gekakis, Inc. on behalf of Fortune N. Lamb, et al
- REZONING RELATED TO GPA-3043 - PUBLIC HEARING
145 **ZON-3044** - George Gekakis, Inc. on behalf of Fortune N. Lamb, et al
- VARIANCE RELATED TO GPA-3043 AND ZON-3044 - PUBLIC HEARING
146 **VAR-3083** - George Gekakis, Inc. on behalf of Fortune N. Lamb, et al
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3043, ZON-3044 AND VAR-3083 - PUBLIC HEARING
147 **SDR-3045** - George Gekakis, Inc. on behalf of Fortune N. Lamb, et al

City of Las Vegas

PLANNING & DEVELOPMENT - Page Five

INDEX

City Council Meeting of November 19, 2003

- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 148 **GPA-3058** - Farley Anderson, Limited Partnership on behalf of Bullseye Commercial Real Estate Nevada, Limited Liability Company
- REZONING RELATED TO GPA-3058 - PUBLIC HEARING
- 149 **ZON-3060** - Farley Anderson, Limited Partnership on behalf of Bullseye Commercial Real Estate Nevada, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3058 AND ZON-3060 - PUBLIC HEARING
- 150 **SDR-3062** - Farley Anderson, Limited Partnership on behalf of Bullseye Commercial Real Estate Nevada, Limited Liability Company
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 151 **GPA-3077** - Astoria Lone Mountain 30, Limited Liability Company
- MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN RELATED TO GPA-3077 - PUBLIC HEARING
- 152 **MOD-3074** - Astoria Lone Mountain 30, Limited Liability Company
- REZONING RELATED TO GPA-3077 AND MOD-3074 - PUBLIC HEARING
- 153 **ZON-2667** - Astoria Lone Mountain 30, Limited Liability Company
- VARIANCE RELATED TO GPA-3077, MOD-3074 AND ZON-2667 - PUBLIC HEARING
- 154 **VAR-3081** - Astoria Lone Mountain 30, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3077, MOD-3074, ZON-2667 AND VAR-3081 - PUBLIC HEARING
- 155 **SDR-2669** - Astoria Lone Mountain 30, Limited Liability Company
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 155A **GPA-3066** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership
- REZONING RELATED TO GPA-3066 - PUBLIC HEARING
- 155B **ZON-3071** - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership

City of Las Vegas

PLANNING & DEVELOPMENT - Page Six

INDEX

City Council Meeting of November 19, 2003

SPECIAL USE PERMIT RELATED TO GPA-3066 AND ZON-3071 - PUBLIC HEARING

155C SUP-3073 - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3066, ZON-3071 AND SUP-3073 - PUBLIC HEARING

155D SDR-3079 - D.R. Horton, Inc. on behalf of Robert J. Wueste Family, Limited Partnership

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3008 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0073-01) WHICH ALLOWED A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) south of Centennial Center Boulevard, approximately 1,260 feet north of Tropical Parkway (a portion of APN: 125-28-610-004), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 90 – EOT-3008

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the original Special Use Permit (U-0073-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-3008 - SPECIAL USE PERMIT - **EOT-3009 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY** - Request for an Extension of Time of an approved Special Use Permit (U-0074-01) WHICH ALLOWED A GAMING ESTABLISHMENT (RESTRICTED) IN CONJUNCTION WITH A PROPOSED TAVERN south of Centennial Center Boulevard, approximately 1,260 feet north of Tropical Parkway (a portion of APN: 125-28-610-004), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 91 – EOT-3009

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0074-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3010 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0076-01) WHICH ALLOWED A PROPOSED SUPPER CLUB on the north side of Tropical Parkway, approximately 640 feet west of the intersection of Tropical Parkway and Centennial Center Boulevard (a portion of APN: 125-28-610-004), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 92 – EOT-3010

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0076-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3011 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0077-01) WHICH ALLOWED A PROPOSED SUPPER CLUB on the north side of Tropical Parkway, approximately 560 feet west of the intersection of Tropical Parkway and Centennial Center Boulevard (a portion of APN: 125-28-610-004), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 93 – EOT-3011

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0077-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3012 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0078-01) WHICH ALLOWED A PROPOSED SUPPER CLUB on the north side of Tropical Parkway, approximately 600 feet west of the intersection of Tropical Parkway and Centennial Center Boulevard (a portion of APN: 125-28-610-004), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 94 – EOT-3012

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0078-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3013 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0079-01) WHICH ALLOWED A PROPOSED SUPPER CLUB on the north side of Tropical Parkway, approximately 690 feet west of the intersection of Tropical Parkway and Centennial Center Boulevard (a portion of APN: 125-28-610-004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 95 – EOT-3013

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0079-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3014 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0080-01) WHICH ALLOWED A GAMING ESTABLISHMENT (RESTRICTED) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northeast corner of the intersection of Tropical Parkway and Centennial Center Boulevard, (a portion of APN: 125-28-610-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 96 – EOT-3014

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0080-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-3014 - SPECIAL USE PERMIT - **EOT-3015 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY** - Request for an Extension of Time of an approved Special Use Permit (U-0081-01) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northeast corner of the intersection of Tropical Parkway and Centennial Center Boulevard, (a portion of APN: 125-28-610-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 97 – EOT-3015

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0081-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-3014 AND EOT-3015 - SPECIAL USE PERMIT - **EOT-3016 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY** - Request for an Extension of Time of an approved Special Use Permit (U-0082-01) WHICH ALLOWED A PROPOSED CAR WASH adjacent to the northeast corner of Tropical Parkway and Centennial Center Boulevard, (a portion of APN: 125-28-610-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 98 – EOT-3016

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0082-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-3017 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit (U-0083-01) WHICH ALLOWED A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) adjacent to the west side of US 95 (a portion of APN: 125-28-610-003), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 99 – EOT-3017

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0083-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-3017 - SPECIAL USE PERMIT - **EOT-3018 - CENTENNIAL CENTRE, LIMITED LIABILITY COMPANY** - Request for an Extension of Time of an approved Special Use Permit (U-0084-01) WHICH ALLOWED GAMING (RESTRICTED) IN CONJUNCTION WITH A PROPOSED TAVERN adjacent to US 95 (a portion of APN: 125-28-610-003), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED Items 90 [EOT-3008], 91 [EOT-3009], 92 [EOT-3010], 93 [EOT-3011], 94 [EOT-3012], 95 [EOT-3034], 96 [EOT-3014], 97 [EOT-3015], 98 [EOT-3016], 99 [EOT-3017] through 100 [EOT-3018] subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that Absolute Foot Care, located in Centennial Centre, is a client of MK² Advertising and Public Relations and his consulting firm, Mack Consulting, subcontracts to MK². However, he has not discussed Items 90 through 100 with Dr. Levine and they would have no impact on Absolute Foot Care; therefore, he would vote on those items.

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds privileged licenses for alcohol and gaming, as do the applicants for Items 90, 91, 96, 99 and 100. However, she has not discussed these items with Station Casinos nor will her affiliation affect her judgment. Further, she discussed the items with the City Attorney and it was determined they will have no material impact on Station Casinos. Therefore, she would vote on those items.

MINUTES:

There was no discussion.

(1:52 – 1:53)

4-457

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 100 – EOT-3018

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on September 5, 2008.
2. Compliance with all Conditions of Approval of the Special Use Permit (U-0084-01).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-2914 - PARDEE HOMES OF NEVADA, ET AL** - Request for a Review of Condition No. 5 of an approved Site Development Plan Review (SDR-2231) TO MODIFY THE REAR SETBACK TO ALLOW A 7 FOOT REAR SETBACK FOR LOTS ADJACENT TO CUL-DE-SAC BULBS AND TO ALLOW 10 FEET FOR ALL OTHER LOTS WHERE 15 FEET IS REQUIRED on 20.31 acres adjacent to the northwest corner of Severance Lane and Fort Apache Road (APN: 125-18-702-004, 005, 006, and 007), T-C (Town Center) Zone [L-TC (Low Density Residential – Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DIANA BOSSARD, 2920 North Green Valley Parkway, appeared on behalf of the applicant. She indicated this application would permit balconies in the rear yards of the homes in this development and was similar to two applications approved by the City Council approximately one month ago. COUNCILMAN MACK confirmed MS. BOSSARD'S statements.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:53 – 1:54)

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 101 – ROC-2914

CONDITIONS:

Planning and Development

1. Replace Condition No. 5 of Site Development Plan Review (SDR-2231) with the following:

“The setbacks for this development shall be a minimum of 10-feet to the front of the house or side loading garage, 18-feet to the front of the garage, 10-feet on the corner side, 5-feet on the side, and 7-feet in the rear for lots adjacent to cul-de-sac bulbs and 10-feet in the rear for all other lots. The front setbacks are to be measured from the back of the sidewalk where a sidewalk is provided otherwise it will be measured from the back of curb.”

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3053 - D.R. HORTON ON BEHALF OF D'NAL I, LIMITED LIABILITY CORPORATION, ET AL - Request for a Review of Condition No. 22 of an approved Rezoning (Z-0001-99) TO ALLOW ACCESS FOR THE DEVELOPMENT FROM O'HARE ROAD AND DURANGO DRIVE NORTH TO THE SOUTH EDGE OF THE SITE (APN: 125-04-001-001, 002, 003, 005, 006, 007, and 008), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from G.C. Wallace, Inc.
5. Back up referenced from the 10/23/2003 Planning Commission meeting Item 72

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - ROC-3218 - HENRY BRENT COMPANY, LIMITED LIABILITY COMPANY ON BEHALF OF STEADFAST AMX I, LIMITED LIABILITY COMPANY AND STEADFAST AMX II, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 1 of an approved Review of Condition (ROC-1073) requiring temporary structures on the east side of the site first allowed under Aesthetic Reviews AR-0012-89 and AR-0016-90 to be removed by October 17, 2003 on property adjacent to the northwest corner of Ogden Avenue and 4th Street (APN: 139-34-510-030), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MACK abstaining since this application pertains to structures at the Lady Luck Casino & Hotel and his brother-in-law, Andrew Donner, has a contract with the Lady Luck and his interests could be impacted

NOTE: COUNCILWOMAN L.B. McDONALD disclosed that she serves as an outside director for Station Casinos, which holds a privileged license for alcohol and gaming, as do the applicants. However, this item will have no material impact on nor has she discussed the item with Station Casinos. Therefore, she would vote on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PAUL WILKINS, Director, Building and Safety Department, indicated that staff has been working with MR. O'NEIL regarding this site and had requested that a few changes be made to the structures. If those changes are made, the tent structure will be in compliance with the Building Code. MR. WILKINS estimated that the applicant would require approximately one week to complete the work.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 103 – ROC-3218

CONDITIONS:

ROBERT O'NEIL, 450 East Fremont Street, concurred with MR. WILKINS' statements. He commented that it is critical to the applicant that a show be put back into the Lady Luck and requested approval of the application in order to keep the showroom open.

TODD FARLOW, 240 North 19th Street, inquired as to when this item was heard before the Planning Commission. ROBERT GENZER, Director, Planning and Development Department, stated that this is a direct to Council item.

COUNCILMAN WEEKLY commented that one of the problems with this property is that it has changed hands so many times. However, he had an opportunity to meet with MR. O'NEIL and others involved in the project and felt they were making a concerted effort to become a part of the City's redevelopment plans. He asked MR. WILKINS if the structures could be in compliance in a week's time. MR. O'NEIL indicated that the structural reports submitted to the Building Department were currently out to bid. With a favorable vote on this application, the contract work should be completed within the next 30 days. COUNCILMAN WEEKLY verified the 30-day time frame with MR. WILKINS.

MAYOR GOODMAN directed MR. WILKINS to monitor the applicant's progress, and if any issues arise to bring them to the attention of the City Council.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.
(1:54 – 1:59)

4-546

CONDITIONS:

Planning and Development

1. The temporary structures shall be removed from the site by October 17, 2004.
2. Site development to comply with all applicable conditions of approval for AR-0012-89, AR-0016-90 and all subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-2587 - GREEN HARRINGTON & HOWELL, LIMITED LIABILITY COMPANY ON BEHALF OF SHERRY SOBEL HARRIS** - Request for a Site Development Plan Review for a proposed 9,955 square foot Family Dollar Retail Store and a reduction in the amount of perimeter and parking lot landscaping on 0.99 acres adjacent to the west side of Martin L. King Boulevard, approximately 400 feet south of Washington Avenue (APN: 139-28-304-002), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Mendenhall Smith Structural Engineers

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-2928 - AMERICAN PREMIERE HOMES ON BEHALF OF GRAND VIEW APARTMENTS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 336-UNIT APARTMENT DEVELOPMENT on 15.54 acres adjacent to the southwest corner of Grand Teton Drive and Grand Canyon Drive (APN: 125-18-101-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). **[NOTE: The correct Ward designation is Ward 6 (Mack)].** The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and adding the following condition:

- *All perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN MACK expressed his desire to move forward with this item.

TODD FARLOW, 240 North 19th Street, inquired as to whether or not the topography of this site had been addressed in the conditions for this application since the Planning Commission had discussed some grading issues. MR. FARLOW felt the project should be built to blend with the surrounding slopes and hills.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 105 – SDR-2928

MINUTES -- Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that Condition 21 contained standard language with regard to the drainage plan, which included the grading of the site. Additionally, staff proposed to add a condition regarding the perimeter walls, including a combination of retaining and screen walls, not exceeding eight feet in height due to the slope issues. This would prohibit the construction of a very tall perimeter wall on the site. She noted that the grading issues would be reviewed at the time a map was submitted for this project.

COUNCILMAN MACK pointed out that the subject property was relatively flat according to the overhead display of the elevations. He felt this would be a very nice development and a welcome addition to Centennial Hills.

MS. WHEELER confirmed the wording of the added condition to state that all perimeter walls, including a combination of retaining and screen walls, shall not exceed eight feet in height.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:59 – 2:02)

4-684

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. A 20-Foot Multi-Use Transportation Trail shall be constructed along the south side of Grand Teton Drive in accordance with the City of Las Vegas Master Plan Transportation Trails Element.
3. All development shall be in conformance with the Grand Teton Village Master Plan, Major Modification (MOD-1730), and the Grand Teton Village Development Agreement (DIR-2863).
4. The setbacks for this development shall be a minimum of 15 feet from property lines, in addition to additional setbacks for Residential Adjacency Standards, and a minimum distance between buildings of 10 feet.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 105 – SDR-2928

CONDITIONS -- Continued:

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Wrought iron fencing is required along the perimeter of the sight adjacent to Grand Teton Drive and Grand Canyon Drive.
7. Perimeter walls, with the exception of perimeter Right-of-Way wrought iron fencing, shall be constructed of brown CMU decorative block and meet minimum design standards as required under Section 3.6.1 of the Grand Teton Village Master Plan.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and neighboring properties. Air conditioning units shall not be mounted on rooftops.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties as required by the Grand Teton Village Master Plan Section 3.10.
12. Any proposed signage shall meet the requirements of the Grand Teton Village Master Plan Section 3.7.
13. Trash enclosures shall have solid metal gates, a roof, and match the color and building finish of the main structure as required by Title 19.08.45.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 105 – SDR-2928

CONDITIONS -- Continued:

15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
17. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

18. Dedicate 50 feet of right-of-way adjacent to this site for Grand Teton Drive, 40 feet for Grand Canyon Drive, and a 54 foot radius at the southwest corner of Grand Canyon Drive and Grand Teton Drive prior to the issuance of any permits.
19. Construct half-street improvements including appropriate overpaving, if legally able on Grand Canyon Drive and Grand Teton Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the west and south boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
20. Coordinate with the Collection Systems Planning section of the Department of Public Works to extend public sanitary sewer in Grand Teton Drive to the west edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 105 – SDR-2928

CONDITIONS -- Continued:

22. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. We note that the driveway access on Grand Canyon Drive is not in accordance with Standard Drawing #222a.
23. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site.
24. Landscape and maintain all unimproved right-of-way adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
26. Site development to comply with all applicable conditions of approval for the Grand Teton Village Master Development Plan, Rezoning Action Z-14-02 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

STREET NAME CHANGE - PUBLIC HEARING - SNC-3092 - CITY OF LAS VEGAS -
 Request to rename certain public streets between Tropical Parkway on the south and Grand Teton Drive on the north, and between El Capitan Way on the west and Durango Drive on the east, to accommodate the revised alignment of Durango Drive incorporating the "S-Curve" between Tropical Parkway and Centennial Parkway, and to maintain continuity of street names across intersections, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

APPROVALS RECEIVED BEFORE:**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

2

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 73

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

COUNCILMAN MACK requested that Item 106 be held in abeyance to the December 17, 2003 Council meeting at the request of a property owner. He explained that MARY BARTAS is a respected property owner in the area and is being represented by MR. JIM LEAVITT. MR. LEAVITT very recently donated one of his kidneys to his father, Supreme Court Justice MYRON LEAVITT, and both father and son are currently recovering. Out of respect to MR. LEAVITT, he would like the item held.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

WAIVER - PUBLIC HEARING - WVR-3030 - SAINT JANE'S CARE HOME ON BEHALF OF ROSITA SY - Request for a Waiver of Title 19.04.040 TO ALLOW A GROUP RESIDENTIAL CARE FACILITY TO BE LOCATED WITHIN 660 FEET FROM ANOTHER GROUP RESIDENTIAL CARE FACILITY at 1412 Maria Elena Drive (APN: 162-02-204-014), R-1 (Single-Family Residential) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 74

MOTION:

REESE – DENIED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN REESE expressed disappointment that the applicant was not present as he wished to explain the reasons for his planned motion for denial. He verified with staff that the applicant had been informed at the Planning Commission meeting that his presence would be required at City Council. COUNCILMAN REESE indicated he was aware of the problems at the subject location and the impact of these types of group homes on the surrounding neighborhoods if they were not operated properly.

TODD FARLOW, 240 North 19th Street, stated his opposition to this application in light of the fact that the applicant was operating in violation of code. He felt the applicant should have been present and the application should be denied.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 107 – WVR-3030

MINUTES -- Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:02 – 2:04)

4-792

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-3019 - R/S DEVELOPMENT ON BEHALF OF WESTVIEW LIMITED LIABILITY COMPANY - Request for a Petition to vacate U.S. Government Patent Reservations generally located south of Wittig Avenue, east of Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LARA DREJA, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. She indicated the application was a standard government patent vacation and concurred with staff conditions.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:04 – 2:05)

4-864

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 108 – VAC-3019

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations, the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works. The drainage study submitted for Z-58-01 may be used to satisfy this requirement provided that it includes a section covering the area to be vacated.
2. Prior to the recordation of an Order of Relinquishment of Interest all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION - PUBLIC HEARING - VAC-3057 - LEO A. DALY ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC) - Request for a Petition to vacate Valerie Street, generally located east of Tonopah Drive, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Proposed street improvement plan submitted by John Darin
5. Back up referenced from the 10/23/2003 Planning Commission meeting Item 77

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 109 [VAC-3057] and Item 110 [SDR-3054].

JOHN DARIN, Leo A. Daly Architects, 3960 Howard Hughes Parkway, appeared on behalf of the applicant. He concurred with staff conditions but requested that they be amended to include the implementation of full medical district guidelines on all public rights of way and boundaries adjacent to the rights of way, which would consist of streets, curb and gutter, ten-foot sidewalks and plants. He submitted the proposed condition amendments to the City Clerk.

BART ANDERSON, Public Works Department, stated that because of the influx of the University Medical Center, the entire campus was being reconfigured. He indicated that staff was willing to work with the applicant due to the temporary nature of the proposed use to defer certain improvements until the adjacent properties are improved. He advised that the proposal

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 109 – VAC-3057

MINUTES -- Continued:

is acceptable to staff, but he would like the amended conditions incorporated into the motion. He pointed out that the improvements on Rose Street included in the staff conditions apply only to the property immediately adjacent to the UMC property, and the vacation stipulates what will be done beyond that.

ROBERT PETRONI, 2001 Pinto Lane, indicated his objections were previously discussed with the applicant and resolved. COUNCILMAN WEEKLY thanked MR. PETRONI for expressing his concerns.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 109 [VAC-3057] and Item 110 [SDR-3054].

(2:05 – 2:10)

4-892

CONDITIONS:

1. Prior to the recordation of the Order of Vacation, abandon, relocate, or provide a 20 foot wide sewer easement for the existing public sewer line in Valerie Street.
2. Prior to the recordation of the Order of Vacation legal access must be provided or retained to Assessor's Parcel Numbers 139-33-302-029 & 139-33-302-030.
3. Dedicate or obtain dedication for the complete cul-de-sac bulb per Standard Drawing #212 or an offset cul-de-sac for Rose Street prior to recordation of an Order of Vacation for this site, unless an alternative plan to terminate Rose Street is accepted by the City Engineer.
4. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by SDR-3054 may be used to satisfy this condition.
5. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense, or such modifications shall be guaranteed by provision of sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 109 – VAC-3057

CONDITIONS -- Continued:

6. All development shall be in conformance with code requirements and design standards of all City departments.
7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-3057 - **SDR-3054** - **LEO A. DALY ARCHITECTS ON BEHALF OF THE COUNTY OF CLARK (UMC)** - Request for a Site Development Plan Review and Waivers of the Medical District Standards FOR A PROPOSED TEMPORARY PARKING LOT AND FOR A WAIVER OF INTERNAL PARKING LOT STANDARDS on 2.42 acres adjacent to the northeast corner of Tonopah Drive and Valerie Street (APN: 139-33-302-026, 027, 028, 029, 030, 031 and 032), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 78

MOTION:

WEEKLY – APPROVED subject to conditions and amending Condition 10 to read as follows:

- Construct half-street improvements on Tonopah Drive and Rose Street, including the proposed cul-de-sac bulb on Rose Street to current City Standards adjacent to this site concurrent with development. *Required improvements shall be as follows: full UMC Medical District guidelines, including curb, street, gutter, sidewalks and landscaping along all portions of this site that abut public right-of-way, both along Tonopah Drive and Rose Street (including that portion of the new cul-de-sac terminating Rose Street adjacent to this site). Along Tonopah Drive south of the current Valerie Street centerline, construct street, curb, gutter, and 5-foot wide sidewalk within the Tonopah Drive right-of-way. On the proposed cul-de-sac terminating Rose Street, where the cul-de-sac does not abut this site, construct street, curb, gutter and 5-foot wide sidewalks within the right-of-way up to the point where the new improvements meet the existing curb and gutter improvements along the south and east sides of the cul-de-sac.*

– UNANIMOUS

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 110 – SDR-3054

MINUTES:

NOTE: See Item 109 [VAC-3057] for all related discussion.

(2:05 – 2:10)

4-892

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Site development to comply with all applicable conditions of approval for Rezoning application Z-0020-97.
3. The Site Development Plan Review shall be reviewed in five (5) years.
4. Full landscaping improvements in compliance with the appropriate standards shall be installed if the parking lot is used beyond 5 years.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. A Petition of Vacation, such as VAC-3057, for the purpose of vacating Valerie Street in a manner acceptable to the Department of Public Works, must be approved by City Council prior to the issuance of permits for this site. If said vacation is not approved, half-street improvements will be required on Valerie Street unless deferral of such improvements is approved by City Council.
9. Dedicate or obtain dedication for the complete cul-de-sac bulb per Standard Drawing #212 or an offset cul-de-sac for Rose Street prior to recordation of an Order of Vacation for this site, unless an alternative plan to terminate Rose Street is accepted by the City Engineer.
10. Construct half-street improvements on Tonopah Drive and Rose Street, including the proposed cul-de-sac bulb on Rose Street to current City Standards adjacent to this site concurrent with development.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 110 – SDR-3054

CONDITIONS -- Continued:

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
12. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
13. Landscape and maintain all unimproved rights-of-way on Rose Street and Tonopah Drive adjacent to this site.
14. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to issuance of any permits for this site.
15. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED ONE YEAR REVIEW - VARIANCE - PUBLIC HEARING - **RQR-3111 - ROBERT J. AND VIRGINIA L. GOOD** - Required One-Year Review of an approved Variance (V-0057-02), which allowed 86 parking spaces where 119 parking spaces are the minimum required in conjunction with an existing retail center on 1.41 acres located at 901 South Rancho Drive (APN: 139-32-804-001), PD (Planned Development) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to condition – UNANIMOUS

NOTE: COUNCILMAN WEEKLY disclosed that he received an in kind donation of rent from the applicants for his last election campaign, which was listed as such on his 2003 campaign disclosure forms. However, his ability to be objective has not been impacted and he has not had any conversations with the applicants since that time. Therefore, he would vote on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She expressed her appreciation for staff's recommendation of approval and indicated she would be happy to answer any questions the Council may have.

TODD FARLOW, 240 North 19th Street, commented that he is frequently in this particular area of town and there are always available parking spaces at this site.

No one appeared in opposition.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 111 – RQR-3111

MINUTES -- Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.
(2:10 – 2:12)

4-1098

CONDITION:

Planning and Development

1. Conformance to the Conditions of Approval for Variance (V-0057-02).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - **VAR-3065 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.** - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 34 PARKING SPACES ARE REQUIRED FOR AN EXISTING RETAIL BUILDING WITH A RESTAURANT at 621 North Eastern Avenue (APN: 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

75

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter of no objection from Sam Hamika
5. Submitted after final agenda – Protest letter from Uvaldo and Alicia Moreno
6. Back up referenced from the 10/23/2003 Planning Commission meeting Item 58

MOTION:

WEEKLY – ABEYANCE to 12/17/2003 – UNANIMOUS with REESE abstaining because the applicant's property is located next to the shopping center that houses his barber shop and it is possible that a reduction in parking will have an impact on all parking in the shopping center; in addition, he receives with his partner \$600 per year from the shopping center owner to act as an on-site property manager, and therefore, he does not feel he could be objective

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 112 [VAR-3065] and Item 113 [SUP-3064].

GARY METZGER, 748 Seclusion Glen, appeared on behalf of DAVID GARCIA with Best Group, Inc., the tenant proposing the new restaurant and purchasing this property. He stated that Building 5 for retail was empty, and MR. GARCIA would like it to remain empty. If this were the case, in applying for a variance and imposing such a condition an additional 16 parking spaces would be acquired and the applicant would then comply with code. In light of the fact that this property has been vacant and neglected for several years, approval of this

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 112 – VAR-3065

MINUTES -- Continued:

project would create a win-win situation for the City, the tenant and the neighborhood. He requested that the Council consider keeping the rear building closed and making that a part of the conditions for the zoning application.

TODD FARLOW, 240 North 19th Street, indicated this site was close to his neighborhood. He was of the opinion that a restaurant would not be appropriate for this location due to insufficient parking and that a parking agreement with the adjacent shopping center would be needed.

DAVID GARCIA, 23 Kolmar Court, stated he was the owner/manager of the subject family-owned business, which has been in operation for eight years. He explained he was relocating the business due to fire and safety hazards at its current location in an older building. MR. GARCIA indicated that his business is approximately 75 percent take out, with most of the customers parking for short periods of time. Therefore, he did not feel there would be much of a parking problem.

COUNCILMAN WEEKLY expressed concern with the lack of adequate parking at this location and suggested that MR. GARCIA pursue a parking agreement with the adjacent shopping center. He indicated that ROBERT GENZER, Director, Planning and Development Department, could work with MR. GARCIA and provide direction in that endeavor. He confirmed MR. GARCIA'S agreement to the abeyance of this item for 30 days in order to allow time to resolve the parking issue.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 112 [VAR-3065] and Item 113 [SUP-3064].

(2:12 – 2:22)

4-1151

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (Z-0083-77), and Rezoning (Z-0036-91).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-3065 - PUBLIC HEARING - **SUP-3064 - TOMASA CHAVEZ ON BEHALF OF BEST GROUP, INC.** - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 621 North Eastern Avenue (APN: 139-26-811-192), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

75

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter of no objection from Sam Hamika, filed under Item 112
5. Submitted after final agenda – Protest letter from Uvaldo and Alicia Moreno, filed under Item 112
6. Back up referenced from the 10/23/2003 Planning Commission meeting Item 59

MOTION:

WEEKLY – ABEYANCE to 12/17/2003 – UNANIMOUS with REESE abstaining because the applicant's property is located next to the shopping center that houses his barber shop and it is possible that a reduction in parking will have an impact on all parking in the shopping center; in addition, he receives with his partner \$600 per year from the shopping center owner to act as an on-site property manager, and therefore, he does not feel he could be objective

MINUTES:

NOTE: See Item 112 [VAR-3065] for all related discussion.

(2:12 – 2:22)

4-1151

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 113 – SUP-3064

CONDITIONS -- Continued:

2. Conformance to the Conditions of Approval for Rezoning (Z-0083-77), and Rezoning (Z-0036-91).
3. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar use.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. The Restaurant Service Bar use shall conform to the definition as listed in Title 19.20.020.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-3076 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 7,081 SQUARE FEET OF OPEN SPACE WHERE 21,554 SQUARE FEET IS REQUIRED on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street (APN: 125-27-503-013 and 014), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letters from Luke and Lynn Bonds, Dr Gail and Colonel Charles Shields, Gene and Thelma Harvey, John and Kim Buchan, Jerry Bruner and Alois J. Strand III
5. Back up referenced from the 10/23/2003 Planning Commission meeting Item 61

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 114 [VAR-3076] and Item 115 [SDR-3078].

ATTORNEY BOB GRONAUER requested that Items 114 and 115 be trailed to await the arrival of the applicant's representative, ATTORNEY CHRIS KAEMPFER, who was present earlier but had to leave for a meeting at the County offices.

MICKEY SCHUMAKER indicated there were individuals present in the audience who wished to proceed with the item at this time if possible. However, at MAYOR GOODMAN'S request, he agreed to wait approximately 15 minutes for MR. KAEMPFER'S arrival.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 114 – VAR-3076

MINUTES -- Continued:

Subsequently, ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He apologized to the neighbors for the delay and thanked the Council for trailing the item. He explained that the proposed project would provide 30 single-family detached homes at a density of 3.17 units per acre. He indicated the project conformed completely to the City's General Plan and to the existing R-PD3 zoning. As requested, the larger lots have been placed to the south and west within the RNP buffer zone, the required trail has been provided along the west side of Rio Vista, and the buffer areas along Azure and Regina are the required width and include the appropriate amount and type of planting material. He advised that a neighborhood meeting was held wherein it was agreed that single-story homes would be constructed on the four lots along the western boundary, which should be an additional condition if this application is approved.

ATTORNEY KAEMPFER explained that the developer has elected to take the relatively small amount of required open space and incorporate it into large lot sizes. The developer's considerable experience has shown that homeowners in a large lot subdivision such as this one prefer the privacy of their own back yards for recreation. However, in lieu of the open space, the developer would contribute over \$57,000 toward park sites in the area for the benefit of all of the residents. The contribution of these in lieu of monies would also be an additional condition to this application. He respectfully requested approval of both the variance and the site development plan review applications, subject to the additional conditions.

TODD FARLOW, 240 North 19th Street, verified that the developer is Distinctive Homes and commented that this developer builds beautiful projects that blend perfectly.

JACK AVERY, 7235 Racel, indicated that developers should be made accountable for the statements made to the City Council because they often do not keep their word.

DR. GAIL SHIELDS, 7180 West Azure Drive, confirmed that a neighborhood meeting was held and single-story homes were requested adjacent to the rural housing development. She advised she submitted requests for denial of the variance on behalf of six opponents who were unable to attend today's meeting. She expressed her opposition to the variance request.

AL STRAND, 7120 West Azure Drive, opposed the variance request and felt the required open space as well as the single-story homes should be provided. He pointed out that existing developments in the area have homes situated on three-quarters of an acre or larger and have buffers surrounding the entire property. In addition, they occupy an entire block rather than a portion of the block surrounded by block walls. He expressed his opposition to the variance request.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 114 – VAR-3076

MINUTES -- Continued:

JEFF SPECIAL, 6250 Rio Vista Street, owner of Bob Taylor's Ranch House, indicated the restaurant is situated directly across from the proposed development and felt the open space should be required to maintain the character of the area. He opposed the variance request. In addition, he requested that any road construction on Rio Vista Street, Azure Drive, and Regina associated with this development not be allowed to disrupt his business.

MICKY SCHUMAKER, 7185 West Regina, expressed his opposition to the variance request. He felt there should be open space for the community to congregate and children to play because there were no parks in the area to his knowledge.

CHUCK SHIELDS, 7180 West Azure Drive, requested that the Council deny this variance application. He felt the proposed development should match the surrounding neighborhood relative to green space and that there should be a public area for the community to congregate. He pointed out that a large commercial project was under construction to the west of the proposed development that he projected would create flooding for the surrounding neighborhoods due to a damming effect resulting from elevation changes created by the construction.

MAYOR GOODMAN commented that the provision of open space in new developments is a valid consideration because, in the future, homes will be severely restricted with respect to greenery and there should be a place in the neighborhoods where children can play. Further, the City Council is very concerned with quality of life, water usage and green space. And, as time goes on, more and more restrictions will be placed on developers relative to xeriscaping.

ATTORNEY KAEMPFER agreed with the Mayor but pointed out that homeowners utilize the back yards of their homes where he would suggest the green space be provided in the form of larger lots. This would also eliminate the associated maintenance and watering needs for public open space areas that are rarely used. As an alternative, the applicant proposes to apply \$57,000 toward the enhancement of an existing park that would benefit the community as a whole. He pointed out that the size of the homes in this development range from 2,500 to 5,000 square feet with huge back yards. He noted that the only effect of the open space requirement would be to reduce lot size.

ATTORNEY KAEMPFER went on to advise that the US Home development immediately east of the subject site has been approved for two-story and single-story development. Again, all four lots on the west side of the development would be single-story. In addition, the neighbors he has spoken to indicated this development would be a welcome addition to the community.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 114 – VAR-3076

MINUTES -- Continued:

COUNCILMAN MACK commented that everything built by this developer is top notch. Further, this development conformed to R-PD3 and he appreciated it coming into the General Plan. He remarked that open space is a necessity with high-density projects; however, in the past, he has voted in favor of waiving the open space for larger lot sizes. As a result of larger lots, the small neighborhood pocket parks are not utilized; and, in light of the drought ordinance, it made sense to remove the unused open space. He commended the applicant for listening to the neighbors and accommodating the adjacent property owners to the west by constructing single-story homes.

COUNCILMAN MACK requested that the applicant work with JEFF SPECIAL, owner of Bob Taylor's Ranch House, to ensure that his business is not disrupted during the course of construction. ATTORNEY KAEMPFER agreed to this stipulation.

In response to MAYOR GOODMAN'S inquiry, COUNCILMAN MACK asked staff if the \$57,000 contribution in lieu of open space could be earmarked for the Estelle Neal Park, which is the most adjacent park in the area. BART ANDERSON, Public Works Department, replied that the monies would be applied to park improvements as close to the affected area as possible; however, strictly speaking, open space requirements are not park contributions and the monies are placed in the General Fund. Since this is a fairly new trend and is outside of Public Works' normal funding sources, the mechanism as to how to distribute these funds is not in place. As a result, he was unsure as to whether or not there was a tracking mechanism in place to ensure that the monies would be spent on the Estelle Neal Park, although an attempt would be made to keep the monies in the same ward. He noted that this issue would be discussed at the upcoming joint City Council and Planning Commission meeting, and he was looking to the City Council for guidance.

RICHARD GOECKE, Director, Public Work Department, indicated that in order to comply with COUNCILMAN MACK'S request, the \$57,000 contribution in lieu of open space would be earmarked for the Estelle Neal Park. However, this policy issue needed to be addressed by the Council and the Planning Commission in order to provide staff with clear direction for the future.

MAYOR GOODMAN requested that he be advised when the check is issued. MR. ANDERSON stated that the applicant would be required to provide the check when the permits were pulled. He would request that the applicant contact his office when the check is ready and he would ensure that the Mayor was notified.

COUNCILMAN MACK indicated that at the joint Planning Commission/City Council meeting he would be interested in discussing the formula that drives the dollar amounts of the in-lieu-of-contributions to ensure that they equal or exceed the cost to provide the open space. He wished to avoid situations where developers build lots and make premiums on

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 114 – VAR-3076

MINUTES -- Continued:

them; because, in that case, all developers would request waivers of open space. He wanted open space provided in communities and intended to take a close look at this issue.

MAYOR GOODMAN directed the City Manager to utilize this issue as the hypothetical model for discussion at the upcoming joint City Council/Planning Commission meeting. He wished to be educated, from beginning to end, as to how the dollar figures are arrived at, how the money is deposited, how it is earmarked, and how it is ultimately spent.

COUNCILMAN MACK confirmed with staff that they were comfortable with the new grades for the commercial development in the area that could affect this property. MR. ANDERSON indicated a drainage study would be required. In addition, it is a Public Works mandate that development not make matters worse for its neighbors and, whenever possible, should improve an area. He noted that the drainage study had not been conducted nor had the grading plan been set. However, the City is sensitive to the neighbors and will do everything possible to ensure that development of this site does not have an adverse impact.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 114 [VAR-3076] and Item 115 [SDR-3078].

(2:22 – 2:23/3:32 – 4:01)

4-1510/5-812

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1855), and Site Development Plan Review (SDR-3078).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$57,892.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3076 - PUBLIC HEARING - **SDR-3078 - TANEY ENGINEERING ON BEHALF OF AZURE RIO VISTA, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 30 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street (APN: 125-27-503-013 and 014), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 62

MOTION:

MACK – APPROVED subject to conditions and amending Condition 4 to read as follows:

4. The building height shall not exceed two stories or 35 feet, whichever is less, *except for the buildings on the lots adjacent to the western property line which shall be restricted to single story.*
- and adding the following condition:
- *The \$57,000 in lieu of payment shall be earmarked for the Estelle Neal Park.*
- UNANIMOUS

MINUTES:

NOTE: See Item 114 [VAR-3076] for all related discussion.

(1:15 – 1:17)

2-227

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 115 – SDR-3078

CONDITIONS -- Continued:

2. A multi-use transportation trail is required along the west side of Rio Vista Street. The trail shall be constructed in accordance with Exhibit One of the Transportation Trails Element of the 2020 Master Plan.
3. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for Tentative Map, to depict the minimum amount of open space required for a R-PD3 (Residential Planned Development – 3 Units Per Acre) development of this size or the applicant shall receive approval of a Variance to allow for reduced open space.
4. The building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.
6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
7. Air conditioning units shall not be mounted on rooftops
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be a maximum of six feet in height and shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 115 – SDR-3078

CONDITIONS -- Continued:

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Site development to comply with all applicable conditions of approval for ZON-1855 and all other subsequent site-related actions.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-3024 - GATEWAY MOTEL, INC.** - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 40 FOOT HIGH, 28 FOOT BY 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN: 139-34-410-165), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from Singer and Brown

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship, and based on the fact he owns the UMC Outpatient Clinic on West Charleston with JAY BROWN, a principal with the firm of Singer & Brown, and the fact that the applicant’s representative for this item is his son, ERIC GOODMAN, and MACK abstaining because he has retained the law firm of Goodman Brown and Premsrirut to assist him with legal issues involved in his new business, Las Vegas Previews, an advertising firm that creates a digital magazine and CD roms, and the fact that ROSS GOODMAN is his partner in Las Vegas Previews and has discussed with him the potential sharing of profits with his siblings, including ERIC GOODMAN

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

ERIC GOODMAN, 520 South 4th Street, appeared on behalf of the applicant and respectfully requested approval of the application.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 116 – RQR-3024

MINUTES -- Continued:

TODD FARLOW, 240 North 19th Street, commented that the property owner is not using the billboard revenue to maintain the property and the landscaping because the property appeared to be very rundown. He indicated his understanding that the City would receive federal money in 2005 due to this area being designated as a scenic byway. As a result, the billboards must be removed because the City needs the money more than the billboards.

COUNCLMAN WEEKLY indicated he had spoken with the applicant's representative regarding maintaining the landscaping on the property, and the problem would be addressed. As a result, the application would be approved for another year until the City is ready to make way for the scenic byway project.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:23 – 2:27)

4-1564

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 116 – RQR-3024

CONDITIONS -- Continued:

5. The chain-link fence enclosure shall be repaired and properly maintained, until removed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - **RQR-3170 - FAITH LUTHERAN THRIFTSTORE ON BEHALF OF WING FONG AND ASSOCIATES AND FREMONT, LIMITED PARTNERSHIP** - Required One-Year Review of an approved Special Use Permit (U-0125-02) for a Thriftshop, Non-Profit at 4530 Meadows Lane, Suite 1 (APN: 139-31-110-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to condition – Motion carried with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

KEVIN DUNNING, Executive Director, Faith Lutheran Junior/Senior High School, appeared on behalf of the applicant and requested approval of the application.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:27 – 2:28)

4-1726

CONDITION:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0125-02).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REQUIRED REVIEW - PUBLIC HEARING - **RQR-3023 - MARSHALL FAMILY, LIMITED PARTNERSHIP** - Required Review of an approved Special Use Permit (U-0126-94) WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2330 Industrial Road (APN: 162-04-802-007), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and MACK abstaining because TODD MARSHALL, a part of the Marshall Family Limited Partnership, is a former partner of his, and the fact that his former business, First Class Pawn, was and may still be advertised on this particular billboard

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

ATTORNEY TOM AMICK, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He expressed appreciation for the staff and Planning Commission recommendations of approval and indicated he would answer any questions the Council may have.

No one appeared in opposition.

There was no further discussion.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 118 – RQR-3023

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:28 – 2:30)

4-1763

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in five years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2759 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 789 North Nellis Boulevard (APN: 140-29-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – Abeyance request from Singer & Brown for Item 119 & 120 filed under Item 119

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

COUNCILMAN REESE requested that staff advise the applicant for Items 119 and 120 that these items would definitely be heard on December 17, 2003 with no further abeyances.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2760 - REAGAN NATIONAL ADVERTISING ON BEHALF OF WILLIAM P MIGUEL, ET AL - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign to be 50 feet tall where 40 feet is the maximum allowed unless the display surface is obscured from view at 745 North Nellis Boulevard (APN: 140-29-802-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – Abeyance request from Singer & Brown for Item 119 & 120 filed under Item 119

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

COUNCILMAN REESE requested that staff advise the applicant for Items 119 and 120 that these items would definitely be heard on December 17, 2003 with no further abeyances.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2848** - **REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED** - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – Abeyance request from Singer & Brown

MOTION:

REESE – Motion to **HOLD IN ABEYANCE** Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and **MR. CHESNOFF** may benefit from the relationship and **REESE** abstaining on Items 132 and 133 due to his close relationship with **MR. EWING** and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY - Appeal filed by Koster Finance from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2300 East Bonanza Road (APN: 139-35-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

307

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from Koster Finance
5. Submitted at City Council – Support petition containing 307 signatures submitted by Kim Koster

MOTION:

REESE – ABEYANCE to 1/7/2004 – UNANIMOUS with GOODMAN abstaining because his son, ERIC GOODMAN, represents two businesses of this type, Check City and Rapid Cash, and there could be an appearance of impropriety if he voted; MONCRIEF abstaining because she is the co-owner of a surgery center with DR. FRANK SILVER located in the retail center at the southwest corner of Eastern Avenue and Bonanza Road, and MACK abstaining because the SuperPawn stores owned by his brother, Steven Mack, and for which he is a consultant, provide the same type of service

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

KIM KOSTER, Koster Finance, 6376 Briney Deep Avenue, appeared on behalf of the applicant with BILL KOSTER, owner of Koster Finance. MS. KOSTER indicated her understanding that the Council is concerned with over saturation of these types of businesses in the area and pointed out that there is no other business in this particular area that offers the same type of installment loan service, which requires signatures only as opposed to checks and/or car titles. She noted

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 122 – SUP-2962

MINUTES – Continued:

that credit checks were performed on all of their loan applicants. She submitted a support petition containing signatures of the residents in the immediate neighborhood as well as current customers. She advised that there are currently 15 locations operating throughout the Las Vegas Valley and requested approval of the application.

TODD FARLOW, 240 North 19th Street, offered his opinion that banks have become nothing more than a den of thieves, which has caused citizens to use the services of these types of businesses. Therefore, it has become just an issue of saturation.

MR. KOSTER stated that Koster Finance currently serves over 18,000 customers in the Las Vegas Valley and felt most of those customer would resent comments to the effect that there is something wrong with them for frequenting this type of business. He remarked that he offers a good, clean reliable service to his customers.

MAYOR PRO TEM REESE asked MARGO WHEELER, Deputy Director, Planning and Development, to point out the four other locations in the nearby vicinity that offer the same type of service. MS. WHEELER explained that the other businesses in the vicinity possess different types of licenses; however, based upon how land use definitions are created, several different types of business licenses can be grouped under the same land use category. As a result, the proposed use is in the same group of categories as the other businesses. As part of the special use permit process, the Council is charged with determining whether the land use can be conducted in a manner that is harmonious and compatible with existing and surrounding land uses. In this case, the recommendation for denial is based mainly on the fact that the same services are provided at this intersection by the existing uses.

MR. KOSTER rebutted MS. WHEELER'S statement by commenting that many locations in the City contain similar type businesses in close proximity to each other; for example, auto dealerships, banks, food establishments, furniture stores, and casinos. This tends to happen in any industry as demand dictates. Again, however, there is no business in the immediate area that provides the same type of loan service. If there were, he would not locate his business at that location. He felt there was a demand in the area for his services. Further, he was not aware of any distance requirements attached to this type of use and he has met every condition of this application.

MAYOR PRO TEM REESE pointed out that there are definitely problems within the industry as well as an over saturation issue, especially in the older areas of the City. He commented that the industry itself has begun to discuss regulation of this use. However, until more regulations are enacted he could either make a motion for denial or hold the item in abeyance for 60 days in the hopes that some recommendations will be forthcoming.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 122 – SUP-2962

MINUTES – Continued:

COUNCILMAN BROWN commented that the issue of saturation seemed to be targeted toward the aesthetics of some of the buildings and/or the perception that these are fly-by-night types of businesses. He felt the market was beginning to respond and address the issues within its own industry with such measures as increased square footage, building aesthetic reviews and use type. He remarked that there were a number of these types of businesses in Ward 4 that blended in very well, and he felt there was a perception issue that seemed to be driving many of the problems. He indicated that everyone needed to get beyond the stigma and address the fact that the business industry is attempting to solve the perception issue; and perhaps government can better define the use from a land use standpoint. Nevertheless, he was not satisfied with the saturation argument because there is real legitimacy and dollars invested in some of the larger operations. Following the 60-day abeyance period, he would like to see some specific facts and figures come forth as well as some answers to the host of issues that have been raised.

MAYOR PRO TEM REESE indicated that many of these types of businesses in his ward have been sitting vacant for long periods of time, and there is really no money invested into the buildings other than paint and signs. Since the industry itself desires to address the issue and there is the possibility that necessary improvements can be made, he felt time should be given to hopefully resolve the issues rather than deny the application.

MR. GENZER stated for the record that staff introduced a new ordinance approximately two months ago that would establish distance separation requirements for these types of uses. At the Recommending Committee meeting, the decision was made to table the ordinance to provide the industry 30 days in which to submit a proposal. The 30 days expired last week, and he has not been able to contact the industry representative to date. MS. KOSTER indicated she would provide MR. GENZER with the representative's cellular telephone number.

MAYOR PRO TEM REESE inquired as to how long it would take the new ordinance to be processed through the system. MS. WHEELER indicated it would return to the Recommending Committee and would be placed on the City Council agenda after that. Therefore, it would take approximately 30 to 45 days to process it. He requested that the item be held in abeyance for 45 rather than 60 days to the January 7, 2004 Council meeting.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:30 – 2:47)

4-1834

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3002 - KATSUM, INC. ON BEHALF OF CHRISTOPHER & CYNTHIA HILL - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 9470 West Sahara Avenue (APN: 163-06-816-029), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Protest letter from Diane Howe on behalf of Peccole Ranch
 (Letter not a part of the Minutes)

MOTION:

L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the same service is provided by SuperPawn owned by his brother, Steven Mack, for which he is a consultant

NOTE: MAYOR GOODMAN disclosed that he would vote on this item in that the City Attorney advised him there would be no conflict since this issue did not involve over saturation or a 1,000-foot distance requirement.

NOTE: COUNCLMAN MACK disclosed that Triple Five, a client of MK² Advertising and Public Relations, for which his company, Mack Consulting, subcontracts is an owner of the adjacent shopping center. However, he has not discussed this item with anyone at Triple Five.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She expressed appreciation for both the staff and Planning Commission recommendations of approval and indicated she would answer any questions the Council may have.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 123 – SUP-3002

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, commented that a quality of life issue is involved here. The interest rates charged by these types of businesses are very high; therefore, they can afford to pay more rent and replace other more desired businesses in the area. COUNCILWOMAN McDONALD stated for the record that Schlotzsky's Deli actually owns the pad on which this business is situated and has decided to enter into the agreement with the applicant. ATTORNEY LAZOVICH confirmed that the franchisee owned the pad and is currently in negotiations with Money Tree to sell that location.

JOHN McCALL, Vice President, Triple Five Nevada Development Company, stated that Triple Five owned the Village Square shopping center and strongly objected to the subject use. He indicated that the objection was based on the fact that Village Square is a first class shopping center that has been voted as such by local magazines on several occasions. The center caters to first class uses and the residential community situated adjacent to it, and the subject business falls into the category of a second rate use and is not wanted. In the past, similar requests to locate these types of uses in the center have been declined and jewelry stores have been restricted from operating as pawnshops. He was of the opinion that the use did not conform to the area. He requested that this item be either tabled, denied or held in abeyance for 60 days pending some industry standards being proposed as previously discussed.

MR. McCALL went on to read a letter submitted by Peccole Ranch in opposition to this application; he submitted the letter to the City Clerk. COUNCILMAN BROWN commented that there is an implicit message in MR. McCALL'S comments that a second-rate use may draw second-rate citizens. He felt this argument could be used for any number of businesses located in a mixed-use shopping center as well as those in the surrounding area, such as movie theaters and taverns. He noted that one of the issues the City needed to address was that of land use because the City cannot dictate the types of retail or commercial uses allowed based on the type of clientele they might attract. The applicants are business people and would not choose to locate in this area if they did not think the residents in the vicinity would utilize the services. He cautioned MR. McCALL against imposing values to justify the granting or denial of an application as opposed to addressing the land use issues; and, further, that the good businesses in the financial institution category should not be penalized because of the bad ones.

COUNCILWOMAN MONCRIEF pointed out that there are 31 financial institutions in Ward 1, and in light of high interest rates and the other issues mentioned it would be in the best interests of all concerned if this item were held in abeyance to allow time for some industry standards to be brought forward.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 123 – SUP-3002

MINUTES – Continued:

COUNCILWOMAN L.B. McDONALD stated it was not the role of government to regulate interest rates. Further, she felt very strong empirical evidence should be required to support the denial of any application. From her experience in her ward, there has never been a decline in property value, a complaint from an adjacent business or police calls generated relative to Money Tree. She felt the residents of Peccole Ranch would utilize this type of service since a business will typically analyze the local market prior to making that capital investment and locating at a particular site. Further, it concerned her that Triple Five sold the pad but now had a problem with the owner entering into this business transaction. She indicated she would review empirical data but was not interested in opinions and theatrical fantasy.

COUNCILMAN REESE indicated he made the motion to hold this item in abeyance due to the fact that, if possible, he would like to apply any conditions or standards the industry might propose to this use prior to its opening its doors for business at this location as opposed to protecting his ward.

COUNCILWOMAN MONCRIEF interjected that her previous comments were not meant to imply that the City should regulate interest rates but that several attorneys had made comments regarding these types of financial institutions disclosing their interest rates.

JAMES GRINDSTAFF, 2230 Corporate Circle, a representative of Perlman Architects and consultant to Triple Five, raised the issue that the signage did not conform to the City-approved Master Sign Plan. He indicated he discussed this matter with ATTORNEY JENNIFER LAZOVICH and she concurred that the signage must conform to the Master Sign Plan if this application were to be approved.

CARLA CLEMMONS, owner of The Ivy House and Garden in the Village Square Shopping Center, stated that there is a stigma attached to this type of business and it is not compatible with the surrounding area. She further stated that the shop owners in Village Square did not receive notification of the public hearing. MAYOR GOODMAN replied that the Council prides itself on being egalitarian, and he is getting a sense that the Council is being asked to make decisions based on elitism. He indicated it would be difficult to bar projects based on the supposition that certain types of individuals would frequent certain types of businesses.

JAKE MOORE, owner of Party Land in the Village Square Shopping Center, stated that this use would impact his business since it would be situated nearby. He commented that he pays extra rent to attract affluent customers and feels the stigma attached to this type of business could drive away his customers as well as those of the other retail stores in the center.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 123 – SUP-3002

MINUTES – Continued:

GINGER BROWN, 2000 Madagascar, indicated that she resides in Peccole Ranch and was concerned mainly with the fact that she did not receive notice of this public hearing nor did she believe her neighbors received notification. COUNCILWOMAN L.B. McDONALD indicated this item was heard before the Planning Commission several weeks prior to being heard before the City Council and that everyone residing within the notification radius should have been notified.

Following MAYOR GOODMAN'S inquiry, ROBERT GENZER, Director, Planning and Development Department, explained that the required notification radius was 750 feet from the boundaries of the site. In this particular case, the pad on which this building sits is within its own parcel; therefore, the notification radius does not originate from the boundary of the overall shopping center but the parcel that fronts on Sahara Avenue. As a result, no single-family residences within Peccole Ranch were notified of this particular application.

MS. BROWN indicated she would like this item tabled to allow her time to circulate a petition and the City time to notify her community of this application. MAYOR GOODMAN replied that her request depended upon whether or not COUNCILWOMAN L.B. McDONALD would make the motion to hold this item in abeyance.

FRANK PERNA, Clark County resident, indicated the government protected its citizens in the past through usury laws. The government has failed the people and is no longer protecting those who really need it. These types of businesses are taking advantage of and cheating their customers through exorbitant charges that are hidden in fees. The Federal Truth in Lending Act should apply to these uses and the disclosure of interest rates should be required.

STEPHEN "CAPTAIN TRUTH" DEMPSEY indicated that these types of lending establishments are domestic enemies against which the City Council has taken an oath to protect its citizens.

JOHNNY VENTURA, 601 Raintree Lane, commented that many of these lending institutions actually harm their customers with the high interest rates and hoped that the Council could do something about it.

In response to public comment, ATTORNEY JENNIFER LAZOVICH indicated she wished to address the land use issue. She pointed out that the City Municipal Code allows this specified financial institution in a C-1 zone with a special use permit. Also, both the staff and Planning Commission recommended approval of this application. Further, there is no other financial institution within a 1,000-foot radius of this site. The City Code addresses such issues as building aesthetics as well as hours of operation, which are a part of the conditions of approval for this application and limit the hours of operation from 8:00 a.m. to 8:00 p.m. Therefore, this use would function like the other uses in the retail center.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 123 – SUP-3002

MINUTES – Continued:

MS. LAZOVICH pointed out that Sahara Avenue is a 100-foot right-of-way and there is commercial development to the north, east and west of this center and a multi-family apartment complex to the south. So, from a strict land use standpoint, she believed this is an appropriate location for this use and did not believe that abeyance of this item should be necessary. She also did not believe that a denial was warranted in this case given the surrounding development.

COUNCILWOMAN L.B. McDONALD reiterated that the Council must consider the land use issues and concurred with MS. LAZOVICH in that the creation of a new ordinance would not have an impact on this particular use, especially since it is surrounded by commercial and multi-family uses. She commented that the City should not make land use decisions based on suppositions as to the type of clientele that will frequent certain businesses but should base its decisions on land use and empirical facts.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:47 – 4:01)

4-2594/5-1

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The use shall comply with all applicable requirements of LVMC Title 6.
3. Any proposed changes to the building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
4. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a “grand opening” or that a business is “coming soon” may be approved administratively for a period not to exceed thirty days.
5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 123 – SUP-3002

CONDITIONS – Continued:

7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3042 - BILOXI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF ARTHUR AND JEAN GRANT -
Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 1502 Western Avenue (APN: 162-04-602-011), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – Motion carried with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL BRADSHAW, 10814 Del Rudini Street, appeared on behalf of the applicant and respectfully requested approval of the application. In response to MAYOR GOODMAN'S inquiry, he indicated that the subject property is located on Western Avenue directly across the street from the Southwest Vending building that recently burned down.

TODD FARLOW, 240 North 19th Street, inquired as to whether or not another tavern was located nearby this site. DEPUTY CITY ATTORNEY BRYAN SCOTT informed MR. FARLOW that the subject business is a restaurant and service bar and not a tavern.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:01 – 4:03)

5-1905

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 124 – SUP-3042

CONDITIONS:

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3059 - LAS VEGAS BILLBOARDS ON BEHALF OF THOMAS & BARBARA WALSH - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3640 Sirius Avenue (APN: 162-08-302-020), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – Motion carried with GOODMAN abstaining because his son, Eric Goodman, is representing the applicant and the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship, and MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

ATTORNEY ERIC GOODMAN, 520 South 4th Street, appeared on behalf of the applicant. He concurred with staff conditions and respectfully requested approval.

TODD FARLOW, 240 North 19th Street, remarked that the subject property is owned by out of state property owners who are not maintaining it and it is a trash dump. This issue was also raised at the Planning Commission meeting. The owners should be required to clean the site before this application is approved.

At COUNCILWOMAN MONCRIEF’S request, ATTORNEY GOODMAN indicated he would ask the property owner to clean up the site and contact her with a response to her request.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 125 – SUP-3059

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:03 – 4:05)

5-1984

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in six months after the issuance of a Building Permit at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 125 – SUP-3059

CONDITIONS – Continued:

8. All City Code requirements and design standards of all City Departments shall be satisfied.
9. Including the landscaping requirements of Title 19.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3061 - LAS VEGAS BILLBOARDS ON BEHALF OF WING GAY FONG - Appeal filed by Las Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1571 North Decatur Boulevard (APN: 138-25-503-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from LAS Consulting, Inc.
5. Submitted after final agenda – Abeyance request from Singer & Brown

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-2849** - **LAND DEVELOPMENT ON BEHALF OF MAPLE DEVELOPMENT, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (Undeveloped) [MLA (Medium-Low Attached Density Residential) General Plan Designation] TO: R-PD12 (Residential Planned Development - 12 Units Per Acre) on 10.30 acres adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Grand Canyon Drive (APN: 125-18-501-015), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Items 127 [ZON-2849], Item 128 [VAR-2855] and Item 129 [SDR-2850].

CRAIG BROOKSBY, 6260 Whispering Brook Court, appeared on behalf of the applicant. He explained that the subject property was a ten-acre site at the corner of Grand Teton and Tee Pee Lane. He noted that the site to the south is also master-planned for medium-low attached density residential with 12 units to an acre, and the property to the west is master-planned for eight units to the acre. He advised that staff originally raised the issue of adjacency of this project to the residential development to the west. However, it has since been determined that there is a fairly substantial elevation change that should mitigate that situation. He displayed photographs of a similar situation in a nearby development with 20-foot rear yard areas, as well as the common area between the buildings and the wall and the houses next door.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 127 – ZON-2849

MINUTES – Continued:

MR. BROOKSBY commented this is a unique site in that a residential rear yard abutting another residential rear yard has been designed for each home. He respectfully requested approval of the application.

TODD FARLOW, 240 North 19th Street, indicated he spoke against this application at the Planning Commission meeting. However, after seeing the photographs he could now support the project.

COUNCILMACK MACK expressed his appreciation to the applicant for working with staff and his office on this project and for submitting this particular design, since two-story homes with a denser look could actually have been constructed on this site. He pointed out that the applicant was requesting a setback of 15 feet even though it appeared from the variance that a setback from 90 to 15 feet was being requested. He further stated his belief that the difference in grade would cause the true variances needed to be less than 15 feet.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Items 127 [ZON-2849], Item 128 [VAR-2855] and Item 129 [SDR-2850].

(4:05 – 4:11)

5-2108

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Variance application (VAR-2855) and a Site Development Plan Review application (SDR-2850) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. The density shall not exceed 12.49 dwelling units per acre.

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Grand Teton Drive, 40 feet for Tee Pee Lane, and a 54-foot radius at the southwest corner of Tee Pee Lane and Grand Teton Drive.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 127 – ZON-2849

CONDITIONS – Continued:

5. Construct half-street improvements including appropriate overpaving, if legally able, on Grand Teton Drive and Tee Pee Lane adjacent to this site concurrent with development of this site. Improvements on Teepee Lane shall meet Town Center standards. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system and extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 127 – ZON-2849

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO ZON-2849 - PUBLIC HEARING - VAR-2855 - LAND DEVELOPMENT ON BEHALF OF MAPLE DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Variance to ALLOW A 15-FOOT SETBACK FROM SINGLE-FAMILY RESIDENTIAL PROPERTIES WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 90-FOOT SETBACK for a proposed 129-Unit Condominium Development on 10.30 acres adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Grand Canyon Drive (APN: 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation)] [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 127 [ZON-2849] for all related discussion.

(4:05 – 4:11)

5-2108

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2851) and Site Development Plan Review [SDR-2850].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2849 AND VAR-2855 - PUBLIC HEARING - **SDR-2850 - LAND DEVELOPMENT ON BEHALF OF MAPLE DEVELOPMENT, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of the perimeter landscaping requirements FOR A PROPOSED 129-UNIT CONDOMINIUM DEVELOPMENT on 10.30 acres adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Grand Canyon Drive (APN: 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation]] [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and adding the following conditions:

- *All perimeter walls, including a combination of retaining and screen walls, shall not exceed 8 feet in height.*
- *One 24-inch box tree shall be required at each rear yard of the lots on the south and west project perimeter.*

– UNANIMOUS

MINUTES:

COUNCILMAN MACK confirmed the applicant's agreement to the revised conditions.

NOTE: See Item 127 [ZON-2849] for related discussion.

(4:05 – 4:11)

5-2108

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 129 – SDR-2850

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-2849] to an R-PD12 (Residential Planned Development - 12 Units per Acre) Zoning District and a Variance (VAR-2855) to reduce residential adjacency standards to 15 feet where 90 feet is required, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including site plan revisions to show a minimum of 257 parking spaces for the project and to show the location of trash enclosures on the site.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees, and of a type approved pursuant to the Town Center Development Standards Manual for trees along Tee Pee Lane, planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 129 – SDR-2850

CONDITION – Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. Gated entry drives shall measure 51 feet from face of curb to face of curb, which is 52 feet back-of-curb to back-of-curb.
14. Site development to comply with all applicable conditions of approval for ZON-2849 and all other subsequent site-related actions.
15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - **ZON-3047 - MARCUS ALLEN** - Request for a Rezoning FROM: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) AND TO ALLOW AN 82 FOOT MINIMUM LOT WIDTH WHERE 100 FEET IS THE MINIMUM REQUIRED on 0.21 acres at 1200 West Lake Mead Boulevard (APN: 139-21-610-285), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting

NOTE: COUNCILMAN REESE disclosed that he is a barber and has been at his current location for 40 years. He has not discussed this application with anyone and it will not affect his business in any way. Therefore, he would vote on this item.

COUNCILMAN MACK disclosed that he attended college with a MARCUS ALLEN, but the applicant is a different person.

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 130 [ZON-3047] and Item 131 [SDR-3048].

MARCUS ALLEN, the applicant, 1200 West Lake Mead Boulevard, was present.

BEATRICE TURNER, West Las Vegas resident, spoke in support of the applicant and requested approval of the application.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 130 – ZON-3047

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 130 [ZON-3047] and Item 131 [SDR-3048].

(4:11 – 4:16)

5-2379

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-3048) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
4. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.
5. If on street parking is not already prohibited adjacent to this site, submit a written request to the Traffic Engineer to eliminate on-street parking on Lake Mead Boulevard adjacent to this site.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 130 – ZON-3047

CONDITIONS – Continued:

specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3047 - PUBLIC HEARING - **SDR-3048 - MARCUS ALLEN** - Request for a Site Development Plan Review FOR A 1,092 SQUARE FOOT BARBER SHOP, AND FOR A REDUCTION IN THE WIDTH OF THE PERIMETER LANDSCAPE PLANTER on 0.21 acres at 1200 West Lake Mead Boulevard (APN: 139-21-610-285), R-2 (Medium Density Residential) Zone [Proposed: C-1 (Limited Commercial)], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MONCRIEF not voting

MINUTES:

NOTE: See Item 130 [ZON-3047] for all related discussion.

(4:11 – 4:16)

5-2379

CONDITIONS:

Planning and Development

1. A Rezoning application (ZON-3047) to C-1 (Limited Commercial) approved by the Planning Commission and City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The existing chain link fence shall be removed and replaced with new walls meetings the current Commercial Development Standards.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 131 – SDR-3048

CONDITIONS – Continued:

4. Any property line wall along the perimeter of the overall site shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron fence with decorative concrete or stone pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Mechanical and electrical equipment and any communication equipment, excluding communication towers and antennas, shall be concealed from view of Lake Mead Boulevard and neighboring properties.
8. All outdoor utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not spill over onto adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

12. Site development to comply with all applicable conditions of approval for ZON-3047 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **ZON-3051 - EWING BROTHERS, INC.** - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL INDUSTRIAL) on 14.35 acres adjacent to the north side of Owens Avenue and east side of "D" Street (APN: 139-22-404-001, 003 and 004), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

13

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Ewing Bros., Inc.
5. Submitted at City Council – Opposition petition containing 126 signatures submitted by Cleveland Avery for Items 132 and 133, filed under Item 132
6. Back up referenced from the 10/23/2003 Planning Commission meeting Item 39

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

CLEVELAND AVERY, Las Vegas resident, indicated there were a number of people in the audience who were opposed to and were present specifically for Item 132 [ZON-3051] and wished to go forward with the item, which had been held in abeyance to the December 17, 2003 Council meeting. He submitted a petition containing 126 signatures in opposition to the application.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 132 – ZON-3051

MINUTES – Continued:

MAYOR GOODMAN apologized for the delay and indicated the applicant personally requested the abeyance of this item in order to meet with the neighborhood. MR. AVERY replied that a neighborhood meeting is not necessary because this project is unwanted. He advised that the neighbors desired the zoning designation on this specific site to remain unchanged and an alternative type of business to be located there which would conform to the current zoning.

ROLAND DHONDT, 500 Freeman Avenue, stated his opposition to Item 132 [ZON-3051]. He felt the project would create a danger to the many pedestrians and school children in the area because of the truck traffic. MAYOR GOODMAN verified that MR. DHONDT could attend the next Council meeting and asked that he reserve his comments for that meeting.

COUNCILMAN WEEKLY stated, as an abundance of caution, that Item 132 had been held in abeyance to December 17, 2003, rather than December 3. He advised that the residents in the area would receive a reminder notification.

VIRGINIA HODGES, 1654 E Street, expressed her concern regarding the zone change and indicated that the area residents wished the current zoning designation to remain unchanged. COUNCILMAN WEEKLY reiterated that the item would be heard on December 17, 2003 and the neighborhood would be notified of the time and place of the meeting.

MR. GENZER suggested that Item 132 either be placed as the first agenda item on December 17 or designated as a time certain item. As a courtesy to the neighbors present in the audience, MAYOR GOODMAN directed that Item 132 [ZON-3051] be placed on the December 17, 2003 agenda as a time certain item to be heard at 1:30 p.m.

DEPUTY CITY ATTORNEY BRYAN SCOTT pointed out that, if necessary, disclosures should be made by the appropriate Councilpersons relative to any items being held in abeyance even though they could participate in the vote for abeyance.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3051 - PUBLIC HEARING - **SDR-3052 - EWING BROTHERS, INC.** - Request for a Site Development Plan Review FOR A PROPOSED TOWING & IMPOUND YARD on 14.35 acres adjacent to the north side of Owens Avenue and east side of "D" Street (APN: 139-22-404-001, 003 and 004), C-2 (General Commercial) Zone [Proposed: C-M (Commercial Industrial)], Ward 5 (Weekly). The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

13

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

The Planning Commission (5-0-1 vote) recommends DENIAL. Staff recommends APPROVAL subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Ewing Bros., Inc., filed under Item 132
5. Submitted at City Council – Opposition petition containing 126 signatures submitted by Cleveland Avery for Items 132 and 133, filed under Item 132
6. Back up referenced from the 10/23/2003 Planning Commission meeting Item 40

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

NOTE: See Item 132 [ZON-3051] for all related discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **ZON-3067 - BELL REAL ESTATE, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.92 acres on the north side of New York Avenue, approximately 110 feet east of Industrial Road (APN: 162-04-710-002, 004, 145 and 146), Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3067 - PUBLIC HEARING - **SDR-3070 - BELL REAL ESTATE, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT on 0.92 acres on the north side of New York Avenue, approximately 110 feet East of Industrial Road (APN: 162-04-710-002, 004, 145 and 146), R-4 (High Density Residential) Zone [Proposed: C-2 (General Commercial)], Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **ZON-3080 - CARINA CORPORATION, ET AL** - Request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 14.01 acres north of Ann Road, west of Torrey Pines Drive (APN: 125-26-402-005 and 125-26-403-013), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Wright Engineers for Item 136 & Item 137 filed under Item 136
5. Back up referenced from the 10/23/2003 Planning Commission meeting Item 54

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3080 - PUBLIC HEARING - **SDR-3082 - CARINA CORPORATION, ET AL** - Request for a Site Development Plan Review FOR A 32 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 14.01 acres north of Ann Road, west of Torrey Pines Drive (APN: 125-26-402-005 and 125-26-403-013), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone [Proposed: R-PD2 (Residential Planned Development – 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request from Wright Engineers for Item 136 & Item 137 filed under Item 136
5. Submitted at City Council – Support letter from property owner at 3686 N. Rainbow Blvd
6. Submitted at City Council – Protest letter from Leona Spoonamore

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 102 [ROC-3053], Item 104 [SDR-2587], Item 126 [SUP-3061], Item 136 [ZON-3080] and Item 137 [SDR-3082] to 12/3/2003; and Item 106 [SNC-3092], Item 119 [SUP-2759], Item 120 [SUP-2760], Item 132 [ZON-3051], Item 133 [SDR-3052], Item 134 [ZON-3067], and Item 135 [SDR-3070] to 12/17/2003; and Item 121 to 1/21/2004 – UNANIMOUS with GOODMAN abstaining on Items 119, 120 and 121 based on the fact that a partner in his law firm, David Chesnoff, is exploring a business relationship with a billboard sign company and both he and MR. CHESNOFF may benefit from the relationship and REESE abstaining on Items 132 and 133 due to his close relationship with MR. EWING and his sons

MINUTES:

There was no discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-2513 - CITY OF LAS VEGAS** - Request to amend portions of the Southwest Sector Future Land Use Map FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: GC (GENERAL COMMERCIAL), SC (SERVICE COMMERCIAL), O (OFFICE) AND L (LOW DENSITY RESIDENTIAL) on the north side of Vegas Drive, approximately 510 feet east of Rancho Drive (APN: 139-20-411-010 and 011), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL [NOTE: Correction from Southwest Sector Future Land Use Map to Southeast Sector Future Land Use Map]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

WEEKLY – APPROVED adding the following condition:

- **APN 139-20-411-015 shall be deleted from this application.**
- **UNANIMOUS with MONCRIEF not voting**

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 138 [GPA-2513] and Item 139 [ZON-2515].

ROBERT GENZER, Director, Planning and Development Department, indicated that the applications for Items 138 and 139 constitute the second phase of the Rancho Corridor Study. Following discussions with representatives of the owners of the larger of the parcels involved, staff has agreed to alter the requests to consider only the two parcels located at the northwest corner of Vegas Drive and Ferrell. As a result, a condition would be added to delete APN 139-20-411-015 from Items 138 and 139.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 138 – GPA-2513

MINUTES – Continued:

MR. GENZER further stated for the record that the headings for Items 138 and 139 referred to the southwest sector when, in fact, the property is part of the West Las Vegas Plan and is a portion of the southeast sector. Also, regarding Item 138, portions of the General Plan were being amended from medium low and medium densities but the medium density was not listed. However, this affected only the parcel being deleted.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 138 [GPA-2513] and Item 139 [ZON-2515].

(4:16 – 4:19)
5-2565

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-2513 - PUBLIC HEARING - **ZON-2515 - CITY OF LAS VEGAS** - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL), R-MHP (RESIDENTIAL MOBILE HOME PARK) AND R-E (RESIDENCE ESTATES) TO: O (OFFICE), R-3 (MEDIUM DENSITY RESIDENTIAL), U (UNDEVELOPED), C-1 (LIMITED COMMERCIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL) on the north side of Vegas Drive, approximately 510 feet east of Rancho Drive (APN: 139-20-411-009, 010, 011, 014, and 015), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

WEEKLY – APPROVED adding the following condition:

- APN 139-20-411-015 shall be deleted from this application.
- UNANIMOUS with MONCRIEF not voting

MINUTES:

NOTE: See Item 138 [GPA-2513] for all related discussion.

(4:16 – 4:19)

5-2565

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-2633 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY** - Request to amend a portion of the Centennial Hills Sector Plan FROM: PCD (Planned Community Development) TO: MLA (Medium-Low Attached Density Residential) on the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007, and 008), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

44

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Back up referenced from the 11/6/2003 Planning Commission meeting Item 9

MOTION:

BROWN – APPROVED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 140 [GPA-2633], Item 141 [ZON-2634], Item 142 [VAR-2958] and Item 143 [SDR-2635].

JOHN LORNSAND, 2564 Wigwam Parkway, appeared on behalf of the applicant. He explained that a 192-unit luxury apartment complex was being proposed with a density of 12.08 units per acre. To the south are existing residential developments and to the north, northeast and east are major gravel pit operations that will be there for many years to come. The proposed development will act as a buffer between the residential uses and the gravel pits.

MR. LORNSAND went on to explain that the apartment complex will consist of two and three-bedroom units with 2-1/2 baths and oversized two-car garages. The two-bedroom units will have 1,200 square feet or more of living area at proposed rents of \$1,240 per month. The three-bedroom units will have 1,400 square feet with proposed rents of \$1,430 per month. The apartments are townhouse type units with the living area, garages, and one-half bathroom downstairs and the bedrooms and two bathrooms upstairs.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 140 – GPA-2633

MINUTES – Continued:

MR. LORNSAND mentioned that one of the concerns raised at the Planning Commission meeting was the treatment of the wall along Peaceful Dawn Avenue in light of the residential uses to the south. To address the issue, since a 30-foot grade differential exists west to east on the property, a multi-tiered wall has been designed with a six-foot landscaped area. In addition, a five-foot high block wall and another 8-1/2 to 9-foot landscaped area are planned for a total of approximately 15 feet of landscaped area with a six-foot wall on top of that. He stated that the step down wall will be constructed in lieu of 11 and 12-foot high block retaining walls. He displayed elevation drawings of the proposed development.

MR. LORNSAND explained that all access to the development is off of Lone Mountain Road and there is no access to either Peaceful Dawn on the south or Cliff Shadows to the west. The variances requested are located to the east where an immediate drop off of approximately 150 to 200 feet exists down into a gravel pit. If homes are constructed at this location in the future, they will be 100 to 150 feet below the level of the proposed development. He stressed the fact that the requests are appropriate and compatible to the development patterns in the surrounding area. He respectfully requested approval of the applications.

TODD FARLOW, 240 North 19th Street, indicated it appeared that several legal issues were raised at the Planning Commission meeting with regard to this project relating to foreclosure, compliance with the CC&R's, and the slope topography of the property. He wondered if those issues had been addressed and/or resolved.

COUNCILMAN BROWN thanked the applicant for working with staff and the neighborhood to clear-up much of the misinformation involved with this project. In response to MR. FARLOW'S comments, he indicated that the developer planned to work with the natural topography of the site as well as conform to City codes. He also mentioned that the City had enforcement ability for those private properties in violation of code or creating a public nuisance. He pointed out that the original development planned for this site was an apartment complex at 18 to 20 units per acre with a commercial shopping center on the front. He felt this project would be a very good development in light of the abutting gravel pits and would be a good neighbor to the existing single-family residential development to the south.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 140 [GPA-2633], Item 141 [ZON-2634], Item 142 [VAR-2958] and Item 143 [SDR-2635].

(4:19 – 4:27)

5-2716

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-2633 - PUBLIC HEARING - ZON-2634 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation, PROPOSED: MLA (Medium-Low Attached Density Residential)] TO: R-PD12 (Residential Planned Development - 12 Units Per Acre) on 15.9 acres adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 140 [GPA-2633] for all related discussion.
 (4:19 – 4:27)

5-2716

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-2633) to an MLA (Medium-Low Attached Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. Site Development Plan Review (SDR-2635) and Variance (VAR-2958) applications approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 141 – ZON-2634

CONDITIONS – Continued:

Public Works

4. Submit a Petition of Vacation to vacate those portions of Barden Road and any existing U.S. Government Patent Easements in conflict with this site. Said Order of Vacation must record prior to the issuance of any building permits in conflict with this site.
5. Dedicate 40 feet of right-of-way adjacent to this site for Cliff Shadow Parkway and 30 feet for Peaceful Dawn Avenue, including those portions of Assessor Parcel Number #137-01-101-008 necessary for the completion dedication of a cul-de-sac bulb for Peaceful Dawn Avenue. Additionally, dedicate a 20-foot radius on the northeast corner of Cliff Shadows Parkway and Peaceful Dawn Avenue and a 25-foot radius at the southeast corner of Cliff Shadows Parkway and Lone Mountain Road prior to the issuance of any permits.
6. Grant a Traffic Signal Chord Easement at the southeast corner of Lone Mountain Road and Cliff Shadows Parkway prior to the issuance of any permits for this site.
7. Construct half-street improvements including appropriate overpaving on Lone Mountain Road, Cliff Shadows Parkway, and Peaceful Dawn Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend a public sanitary sewer along the east side of this site from Yellow Harbor Street northward to Lone Mountain Road at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 141 – ZON-2634

CONDITIONS – Continued:

dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-2633 AND ZON-2634 - PUBLIC HEARING - **VAR-2958**
- COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY -
 Request for a Variance TO ALLOW A SIDE YARD SETBACK OF 34 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 72-FOOT SETBACK on 15.9 acres adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation, PROPOSED: MLA (Medium-Low Attached Density Residential)] [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre)], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 140 [GPA-2633] for all related discussion.

(4:19 – 4:27)

5-2716

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-2633), Rezoning (ZON-2634), and Site Development Plan Review [SDR-2635].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2633, ZON-2634 AND VAR-2958 - PUBLIC HEARING - **SDR-2635 - COTTONWOOD CREEK APARTMENTS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Waiver of perimeter buffering standards FOR A PROPOSED 192-UNIT APARTMENT DEVELOPMENT on 15.9 acres adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation, PROPOSED: MLA (Medium-Low Attached Density Residential)] [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre)], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 140 [GPA-2633] for all related discussion.

(4:19 – 4:27)

5-2716

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-2633) to an MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning [ZON-2634] to an R-PD12 (Residential Planned Development - 12 Units per Acre) Zoning District, and a Variance (VAR-2958) to Residential Proximity Standards approved by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 143 – SDR-2635

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to illustrate that a solid decorative wall will be developed along the southern boundary of the site, to visually block the view of the proposed apartments from the existing residential area to the south of the site.
5. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, or a wrought iron wall with decorative stone or concrete pilasters. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 143 – SDR-2635

CONDITIONS – Continued:

12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. The developer of this site shall move the existing concrete jersey barriers, currently installed on Cliff Shadows Parkway south of Peaceful Dawn, to Lone Mountain Road east of the entrance of this development after the half-street improvements adjacent to this site have been constructed.
15. Site development to comply with all applicable conditions of approval for ZON-2634 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-3043** - **GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL** - Request to amend a portion of the Southwest Sector Future Land Use Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

458

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition containing 154 signatures and protest letter from Loyd Mead
5. Submitted at City Council – Text relating to Senate Bill 391 submitted by George Munz
6. Back up referenced from the 11/6/2003 Planning Commission meeting Item 13

MOTION:

WEEKLY – APPROVED – UNANIMOUS with BROWN excused

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 144 [GPA-3043], Item 145 [ZON-3044], Item 146 [VAR-3083] and Item 147 [SDR-3045].

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant with GEORGE GEKAKIS, the applicant. MR. GRONAUER explained that the application proposed a senior development on an approximately ten-acre infill piece of property on Jones Boulevard immediately south of Cheyenne. To the north is a drug store situated on C-1

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 144 – GPA-3043

MINUTES – Continued:

zoned property and to the south and east are single-family residential developments. He pointed out that the senior complex would constitute transitional type buffering between the more intense commercial uses and the less intense residential uses. He pointed out that senior citizen projects are traditionally less intense and less dense than multi-family developments, and there is no impact on schools, less noise, and a minimum impact on traffic.

ATTORNEY GRONAUER advised that the project was redesigned from a three-story to a two-story product, 23 feet in height, and would be even less intense than a single-family development. The minimum setback from the closest residential property line to the east is 90 feet and to the south is approximately 111 feet.

JAMES MacDAVID, 5800 Paseo Del Mar, expressed his opposition to low-income, high-density apartments in a very nice neighborhood. All of the homes in the neighborhood are large, are situated on one-half acre parcels, are mainly horse properties, and range in value between \$250,000 and \$325,000. He felt this project was not compatible with the surrounding area.

DONNA HOFMEISTER, 3093 Woods Drive, felt the project was nice and would be a well maintained controlled environment. She was pleased with the setbacks but requested clarification as to MR. GRONAUER'S statements regarding the setback distances. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the Planning Commission conditioned the elimination of the eight easternmost units to provide a two-story project and match the original setback, to which the applicant agreed.

Responding to MS. HOFMEISTER'S inquiry, DEPUTY CITY ATTORNEY BRYAN SCOTT advised that all permits would run with the land. In addition, a deed restriction could be placed on the property to allow only senior housing. MS. WHEELER noted that an age requirement was included in Condition 1 of the site development plan review; and, further, the variance is project specific in that another developer could not submit a site development plan and utilize the variance.

MELISSA EGGSTAFF, 5808 Paseo Del Mar, indicated that two separate real estate brokers have advised the neighbors that this project would dramatically devalue their property. In addition, the project would block the view of the mountains and is too dense for the subject parcel. The applicant has complete disregard for the peace, beauty and well being of the community and its citizens and refuses to listen to the concerns of the surrounding neighbors.

MATTIE MACDAVID, 5808 Paseo Del Mar, felt the project was too dense for such a small parcel. In addition, the apartments would look down into her back yard and affect her privacy as well as decrease the value of her property.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 144 – GPA-3043

MINUTES – Continued:

DIANE MACDAVID, 5800 Paseo Del Mar, indicated she lived to the south of this project on an approximately one-half acre lot. She stated that neither she nor the other neighbors want senior housing on this site. She would like to retain the dignity of the neighborhood and the values of the homes. In addition, the project will create more traffic congestion on Jones Boulevard, which will result in more hazardous conditions for the local school children.

MARK CLINE, 5905 Paseo Del Mar, indicated he has lived in the neighborhood for a year and a half and paid \$300,000 for his home, which seemed to be a great investment. He expressed concern regarding the density of the proposed project since there are a number of existing apartment complexes in the area to the south. Also, there is the possibility that the age restriction could be removed from the deed and the apartments would not remain senior housing. He also felt there would be an impact on traffic since many people aged 55 or older are still employed and commute to and from work.

In response to MAYOR GOODMAN'S inquiry regarding the project being converted to a general apartment complex, MR. GENZER explained that the Planning Commission placed a condition on the application restricting the development to a community of 55 years of age or older and that the restriction will be placed in and recorded on the deed. In order to remove that restriction, City Council approval must be obtained. Further, the restriction runs with the property even if sold.

THELMA MUNZ, 5916 Paseo Del Mar, requested a count for the petition she submitted. In reply, MR. GENZER indicated there were 458 protests received prior to the Planning Commission meeting. MS. MUNZ stated that 100% of the neighborhood residents who could look from their back yards to the proposed development signed a petition in opposition to this project.

GEORGE MUNZ, 5916 Paseo Del Mar, felt the proposed development was not compatible with the surrounding rural preservation neighborhood and the density was too high. He submitted text relating to Senate Bill 391, which addressed rural preservation neighborhoods.

ATTORNEY GRONAUER confirmed the applicant's agreement to a condition for a deed restriction guaranteeing that the property would be leased to persons aged 55 and older. In addition, the City would have final approval as to whether or not the deed restriction could be removed. He pointed out that there are commercial and other multi-family uses in the surrounding area with which this project would be compatible. More importantly, with respect to the traffic issue, the City conducted a traffic count at the intersection of Cheyenne and Jones in 2000. At that time, over 47,000 automobiles were found to travel in this general vicinity each day. He indicated that traffic counts and parking requirements are different for seniors since not all senior citizens own automobiles, and there are shuttle bus transportation systems in all senior projects.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 144 – GPA-3043

MINUTES – Continued:

ATTORNEY GRONAUER commented that the intent is to construct a soft, less intense buffer between the existing neighborhoods and the commercial development to the north. He noted that four buildings were removed to increase the setbacks from the south and east sides of the property. He clarified that the setbacks are a minimum of 90 feet and in some areas exceed 100 feet.

In response to comments made, MR. GEKAKIS advised that the house located on the property was being removed and donated to a non-profit organization. He noted that, according to studies conducted by the National Association of Home Builders and similar organizations, multi-family uses actually increased property values three-tenths of a percent when combined with other types of uses. MR. GRONAUER added that due to complaints of decreased property values in the area a property value comparison was conducted three years after the construction of Champion Village, a senior project located in the City of Henderson. The conclusion reached was that the property values were the highest in the Las Vegas Valley on average per year. He noted that the Henderson senior project was also used as a buffer between more and less intense uses in the area.

In response to COUNCILMAN REESE'S and MAYOR GOODMAN'S inquiries, MR. GEKAKIS advised that the one-bedroom units were 650 square feet in size and leased for \$550 per month and rent for the two-bedroom units, which were 850 square feet in size, ranged from \$675 to \$800 per month. He pointed out that the units were standard size for luxury apartments. He advised that an on-staff manager who lived on site was employed in addition to four to five staff personnel during business hours. Also, one full-time employee was responsible for planning the activity calendar. Other services provided to the seniors are community dinners once a month, in-house doctor visits every two weeks, exercise facilities, indoor and outdoor swimming pools, and a home health room for free doctor-provided hearing, eye and foot exams. He noted, however, that the shuttle service was contracted to a private company.

In response to MS. MUNZ' statements, COUNCILMAN WEEKLY indicated she was correct in the fact that he feels it is incumbent upon applicants to meet with neighborhood residents. When this project was first proposed over a year ago, a number of neighborhood meetings were held. Because the neighborhood is very beautiful and well kept, he felt that the placement of a three-story product adjacent to the homes would encroach on their privacy. Following that, a housing project was proposed; however, the neighbors wanted homes with a minimum of one-half acre lots and opposed that proposed development. Therefore, he requested that MR. GEKAKIS consult as many neighbors as possible and come back with the best possible use. After receiving the proposal for senior citizen housing, COUNCILMAN WEEKLY advised that several of the adjacent property owners were consulted and indicated they could live with this type of project. In addition, he was more comfortable with a senior project and felt it would not have a negative impact on the area. He noted that several senior developments had been approved during his tenure on the City Council and they seemed to work.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 144 – GPA-3043

MINUTES – Continued:

With respect to the remarks made by MS. MUNZ concerning Senator Porter, COUNCILMAN WEEKLY indicated the Senator contacted him once to express concern regarding the three-story apartment complex and he has not heard from him since that time. Also, he noted he had met with COUNCILMAN BROWN and his staff regarding this application since the Councilman formerly represented the area and he wished to learn the history as to how these matters had been dealt with in the past. Also during that meeting, a consensus was reached in support of this application.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 144 [GPA-3043], Item 145 [ZON-3044], Item 146 [VAR-3083] and Item 147 [SDR-3045].

(4:55 – 5:45)

6-645

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3043 - PUBLIC HEARING - **ZON-3044 - GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL** - Request for Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

458

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition containing 154 signatures, filed under Item 144
5. Submitted at City Council – Text relating to Senate Bill 391 submitted by George Munz, filed under Item 144
6. Back up referenced from the 11/6/2003 Planning Commission meeting Item 14

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:

NOTE: See Item 144 [GPA-3043] for all related discussion.

(4:55 – 5:45)

6-645

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3043) to M (Medium Density Residential) land use designation and a Variance request (VAR-3083) for parking approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 145 – ZON-3044

CONDITIONS – Continued:

3. A Site Development Plan Review (SDR-3045) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate the portions of Rowland Street and Haley Avenue for a knuckle at the intersection of those streets prior to the issuance of any permits for this site.
5. Construct all incomplete half-street improvements on Jones Boulevard adjacent to this site and construct all incomplete half street improvements on Rowland Street and Haley Avenue adjacent to this site concurrent with development of this site.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Extend public sewer in Rowland Street from Cheyenne Avenue for a public sewer connection to this site. Because of capacity restrictions, the public sewer line in Jones Boulevard shall not be utilized for service to this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 145 – ZON-3044

CONDITIONS – Continued:

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-3043 AND ZON-3044 - PUBLIC HEARING - **VAR-3083**
- GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL - Request for a Variance TO ALLOW 235 PARKING SPACES WHERE 296 SPACES ARE REQUIRED FOR A PROPOSED SENIOR CITIZEN APARTMENT DEVELOPMENT on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zones [Proposed: R-3 (Medium Density Residential)], Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

458

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition containing 154 signatures, filed under Item 144
5. Submitted at City Council – Text relating to Senate Bill 391 submitted by George Munz, filed under Item 144
6. Back up referenced from the 11/6/2003 Planning Commission meeting Item 15

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:

NOTE: See Item 144 [GPA-3043] for all related discussion.

(4:55 – 5:45)

6-645

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3044) and Site Development Plan Review (SDR-3045).

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 146 – VAR-3083

CONDITIONS – Continued:

2. This Variance shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3043, ZON-3044 AND VAR-3083 - PUBLIC HEARING - **SDR-3045 - GEORGE GEKAKIS, INC. ON BEHALF OF FORTUNE N. LAMB, ET AL** - Request for Site Development Plan Review FOR A PROPOSED 246 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT AND A WAIVER TO THE DENSITY REQUIREMENTS WITHIN A RURAL PRESERVATION NEIGHBORHOOD BUFFER on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 570 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zones [Proposed: R-3 (Medium Density Residential)], Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

458

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition containing 154 signatures, filed under Item 144
5. Submitted at City Council – Text relating to Senate Bill 391 submitted by George Munz, filed under Item 144
6. Back up referenced from the 11/6/2003 Planning Commission meeting Item 16

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:

NOTE: See Item 144 [GPA-3043] for all related discussion.

(4:55 – 5:45)

6-645

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 147 – SDR-3045

CONDITIONS:

Planning and Development

1. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.
2. A General Plan Amendment (GPA-3043) to an M (Medium Density Residential) and a Rezoning (ZON-3044) to a R-3 (Medium Density Residential) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. The site plan shall be amended by removing a total of eight units. These will be the easternmost units.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center with a minimum of four five-gallon shrubs for each tree within provided planters along the southern and eastern property lines and a landscaping berm provided within these planting areas. The landscaping plan shall also depict 24-inch box trees planted a maximum of 30 feet on-center along the front property line and a minimum of four five-gallon shrubs for each tree within provided planters. Planted shrubs are not required to be between the garages and the perimeter wall.
7. The perimeter wall along the southern and eastern property lines shall be eight (8) feet in height. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. All perimeter walls shall be in place prior to commencement of construction of any structures.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 147 – SDR-3045

CONDITIONS – Continued:

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary for this Site Development Review; if such map is required it should record prior to the issuance of any building permits for this site.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Site development to comply with all applicable conditions of approval for ZON-3044 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3058 - FARLEY ANDERSON, LIMITED PARTNERSHIP ON BEHALF OF BULLSEYE COMMERCIAL REAL ESTATE NEVADA, LIMITED LIABILITY COMPANY - Request to amend a portion of the Southwest Sector Future Land Use Plan of the General Plan FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 2.27 acres, 200 feet west of the intersection of Torrey Pines Drive and Lake Mead Boulevard (a portion of APN: 138-23-201-008), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 41

MOTION:

MACK – APPROVED – UNANIMOUS with BROWN excused

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 148 [GPA-3058], Item 149 [ZON-3060] and Item 150 [SDR-3062].

RUDY STARKS, Perkowitz & Ruth Architects, 3980 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff conditions.

TODD FARLOW, 240 North 19th Street, pointed out that the property to the west would experience a problem with parking if this project were built. He felt both properties should be developed as one piece.

COUNCILMAN MACK confirmed with MR. STARKS that the revised conditions were acceptable.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 148 – GPA-3058

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 148 [GPA-3058], Item 149 [ZON-3060] and Item 150 [SDR-3062].

(5:45 – 5:49)

6-2590

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3058 - PUBLIC HEARING - **ZON-3060 - FARLEY ANDERSON, LIMITED PARTNERSHIP ON BEHALF OF BULLSEYE COMMERCIAL REAL ESTATE NEVADA, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [M (MEDIUM DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATIONS] TO: C-1 (LIMITED COMMERCIAL) on 2.27 acres, 200 feet west of the intersection of Torrey Pines Drive and Lake Mead Boulevard (APN: 138-23-201-008), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 42

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with BROWN excused

MINUTES:

NOTE: See Item 148 [GPA-3058] for all related discussion.

(5:45 – 5:49)

6-2590

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3058) to a SC (Service Commercial) land use designation approved by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 149 – ZON-3060

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-3062) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 149 – ZON-3060

CONDITIONS – Continued:

concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3058 AND ZON-3060 - PUBLIC HEARING - **SDR-3062 - FARLEY ANDERSON, LIMITED PARTNERSHIP ON BEHALF OF BULLSEYE COMMERCIAL REAL ESTATE NEVADA, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 19,100 SQUARE FOOT RETAIL BUILDING AND 3,600 SQUARE FOOT RETAIL PAD AND A WAIVER TO THE PARKING LOT LANDSCAPING REQUIREMENTS on 2.27 acres, 200 feet west of the intersection of Torrey Pines Drive and Lake Mead Boulevard (APN: 138-23-201-008), U (Undeveloped) Zone [M (Medium Density Residential) and SC (Service Commercial) General Plan Designations] [Proposed: C-1 (Limited Commercial)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

1**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 10/23/2003 Planning Commission meeting Item 43

MOTION:

MACK – APPROVED subject to conditions, deleting Condition 5 and amending Condition 6 to read as follows:

6. The perimeter wall along the *northern* property *line* shall be eight (8) feet in height. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. All perimeter walls shall be in place prior to commencement of construction of any structures.
- UNANIMOUS with BROWN excused

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 150 – ZON-3060

MINUTES – Continued:

NOTE: See Item 148 [GPA-3058] for all related discussion.

(5:45 – 5:49)

6-2590

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3058) to a SC (Service Commercial) classification and a Rezoning (ZON-3060) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. A parking variance shall be approved by the City Council prior to the issuance of building permits.
6. The perimeter wall along the southern and eastern property lines shall be eight (8) feet in height. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. All perimeter walls shall be in place prior to commencement of construction of any structures.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 150 – ZON-3060

CONDITIONS – Continued:

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
17. Site development to comply with all applicable conditions of approval for ZON-3060 and all other site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-3077 - ASTORIA LONE MOUNTAIN 30, LIMITED LIABILITY COMPANY** - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan FROM: PROS (PARK/RECREATION/OPEN SPACE) AND PF (PUBLIC FACILITIES) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 10 acres approximately 1,045 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN: 137-12-201-010 and a portion of 137-12-201-011), Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letters from Edward Aguglia, Adam Aguglia and Christina Ann Johnson
5. Submitted at City Council – Proposed condition revisions to Items 154 and 155 submitted by Attorney Mark Fiorentino
6. Submitted at City Council – Twenty-nine (29) protest letters submitted by Matthew Brown

MOTION:

BROWN – APPROVED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearings open for Item 151 [GPA-3077], Item 152 [MOD-3074], Item 153 [ZON-2667], Item 154 [VAR-3081] and Item 155 [SDR-2669].

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He explained that the purpose of the General Plan Amendment and the Major Modification was to make the land use consistent with the surrounding properties. He noted that staff expressed concern with the open space variance request and pointed out existing trails on the east and west sides of this project and that a substantial amount of open space would be

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 151 – GPA-3077

MINUTES – Continued:

provided, although it would be less than the code technically required. He further explained that the programmed open space to be provided would be centrally located and could be utilized by all residents of the development. He noted that the open space would cost approximately \$400,000 and is the largest and nicest of any in the existing projects in Lone Mountain West with similar or higher densities. Further, there will be a swimming pool, picnic and barbecue facilities, and a playground for the children. He felt the open space plans for this development justified the variance request.

ATTORNEY FIORENTINO concurred with staff conditions for all of the applications with the exception of Item 154 [VAR-3081] and Item 155 [SDR-2669]. He requested the deletion of Condition 3 of Item 154 to eliminate the requirement for a contribution to the City's park fund in lieu of open space and the revision of Condition 7 of Item 155. He explained that Condition 3 of the variance request was redundant and could cause confusion in that Condition 4 of the Major Modification required the applicant to meet with staff to determine the amount of a park contribution. The applicant wished to use Condition 4 of the Major Modification as the method for contributing to the identified park in the Lone Mountain West Plan.

Relative to Condition 7 of the site development plan review, ATTORNEY FIORENTINO explained that there is an existing undeveloped trail along the western side of the Beltway that was built at the time the County constructed the Beltway. He noted that a chain link fence currently enclosed the trail, and the applicant wished to tie into the trail if possible. However, it was unknown if and when the County would allow the fence to be removed for that purpose. The revised condition allowed the applicant to maintain the flexibility to provide access to the trail, which access would be provided within 60 days of notification by the City that the County had granted authority. He submitted the proposed revisions to the City Clerk.

In response to MAYOR GOODMAN'S inquiry, ATTORNEY FIORENTINO clarified that a park would be provided within the development in addition to the in lieu of contribution to the planned park in Lone Mountain West.

RICHARD BROWN, 10631 Shifting Breeze Avenue, indicated his main concerns were a lack of open space, that the park in the proposed development would not be utilized by the residents of the area, and the increased traffic congestion on Gowan Road resulting from this development as well as other new developments either under construction or proposed for the area.

MATTHEW BROWN, 10630 Shifting Breeze Avenue, expressed concern with existing views being blocked, increased traffic congestion on Gowan Road and Cliff Shadows, the Gilmore Wash and potential flooding, and the increased density of the area if this development were approved in light of the existing apartment complexes to the north on Cliff Shadows and the Cliff Shadows condominiums. With all of the proposed development, there would not be enough space to provide quality living. More compatible to the area would be the construction of semi-tract or custom homes. He requested that the open space requirement be retained and that the Council deny these applications. He submitted 29 protest letters to the City Clerk.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 151 – GPA-3077

MINUTES – Continued:

COUNCILMAN BROWN asked ATTORNEY FIORENTINO if the development would abut the open space trail system located under the power lines and whether or not the applicant would contribute half of the cost toward the trail since the residential community to the west was obligated to contribute half. ATTORNEY FIORENTINO believed the applicant would be required to contribute slightly less than half. He indicated the development would abut the trail and the applicant would be required to complete the trail between their wall and the existing portion of the trail.

COUNCILMAN BROWN inquired as to whether or not a traffic study would be conducted in order to address some of the legitimate concerns expressed regarding traffic congestion. BART ANDERSON, Public Works Department, stated that every development within Lone Mountain West is required to conduct a traffic study. COUNCILMAN BROWN indicated that one of his largest concerns was the sight lines. He indicated his understanding, however, that elevation differentials would assist those homes abutting the trail so they would not be looking into like homes directly across the trail. ATTORNEY FIORENTINO advised that the site sloped dramatically away from the neighbors. In addition, the number of units in the development on the opposite side of the trail has been matched in this development so that the same number of homes are situated on the back of the trail. In fact, the proposed lots are slightly wider because there is more frontage which results in more space between the homes. COUNCILMAN BROWN expressed appreciation to the applicant for protecting the integrity of the existing neighborhood.

JAMES WESTBROOK, 10642 Dawns Mist, opposed the density of the development. In addition, he pointed out that there are no local parks to which the developer can contribute in lieu of providing open space. He felt the open space was needed and that requirement should be adhered to. In addition, he indicated that the residents of the area received only one notification for the variance request.

COUNCILMAN BROWN advised MR. WESTBROOK that the BLM owns 35 acres of land cattycorner to the Gilmore Channel. He indicated that much of that land will be kept passive; however, an eight-acre, centrally located neighborhood park is planned and will be paid for by all of the development coming into the community. He went on to point out that this development is one of the later projects in Lone Mountain West and is being required to provide a significant amount of internal open space per the code as well as make a contribution to the public park that will benefit the local residents. He advised that the applicant would provide 75 percent of the required open space and had requested a waiver of the remaining 25 percent because programmed open space will be constructed within the development, which will include a swimming pool, showers, restrooms, and a playground. He noted that the development was not receiving preferential treatment in that these amenities go beyond what would normally be expected for internal open space. In fact, many conditions earlier developers were not required to meet are being either met or exceeded by this developer. He emphasized the fact that there is more than one park planned for the area even though they may not currently appear on GIS maps.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 151 – GPA-3077

MINUTES – Continued:

In response to MR. WESTBROOK'S remarks regarding notification, ROBERT GENZER commented that the City followed the legal notification distance requirement, which is a minimum of 750 feet from the perimeter of the property in question. COUNCILMAN BROWN advised that the City utilizes County Assessor records and at this time is making an attempt to determine why all affected residents in a particular notification radius are not receiving notice. He acknowledged that a problem exists and is currently being investigated.

MATTHEW BROWN, 10630 Shifting Breeze Avenue, remarked that the BLM land previously mentioned by COUNCILMAN BROWN is being used for dumping and the shooting of bighorn sheep. In addition, there is a lot of offensive graffiti along the Gilmore Wash that should be removed. He hoped something could be done about these problems.

TODD FARLOW, 240 North 19th Street, commented that quite often when using the County Assessor's records the notification is sent to the titleholder or mortgage company.

COUNCILMAN BROWN requested that the three speakers who resided in the notification radius please remain after the meeting in order to speak with staff regarding the notification problem.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearings closed for Item 151 [GPA-3077], Item 152 [MOD-3074], Item 153 [ZON-2667], Item 154 [VAR-3081] and Item 155 [SDR-2669].

(4:27 – 4:55)

5-3143/6-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN RELATED TO GPA-3077 - PUBLIC HEARING - **MOD-3074 - ASTORIA LONE MOUNTAIN 30, LIMITED LIABILITY COMPANY** - Request for a Major Modification to the Lone Mountain West Master Plan TO ADD 10 ACRES TO THE OVERALL PLAN AREA AND CHANGE THE LAND USE DESIGNATION FROM: LOW TO: MEDIUM-LOW approximately 1,045 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN: 137-12-201-010 and a portion of 137-12-201-011), U (Undeveloped) Zone [PF (Public Facility) General Plan Designation] and U (Undeveloped) Zone [PR-OS (Public/Recreation/Open Space) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letters from Edward Aguglia, Adam Aguglia and Christina Ann Johnson filed under Item 151
5. Submitted at City Council – Proposed condition revisions to Items 154 and 155 submitted by Attorney Mark Fiorentino filed under Item 151
6. Submitted at City Council – Twenty-nine (29) protest letters submitted by Matthew Brown filed under Item 151

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 151 [GPA-1077] for all related discussion.

(4:27 – 4:55)

5-3143/6-1

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 152 – MOD-3074

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3077), a Rezoning (ZON-2667) to PD (Planned Development) and Site Development Plan Review (SDR-2669) shall be approved by the City Council at a Public Hearing.
2. The density allowed by this action shall not exceed 10 units per acre.
3. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

Public Works

4. Meet with the Parks Development Team to determine appropriate park contributions and development requirements. Comply with or provide surety for recommendations of the Parks Development Team prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first.
5. An update to the Master Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3077 AND MOD-3074 - PUBLIC HEARING - **ZON-2667 - ASTORIA HOMES ON BEHALF OF ASTORIA LONE MOUNTAIN 30, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 25.73 acres approximately 1,045 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN: 137-12-201-004, 010 and 014), Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letters from Edward Aguglia, Adam Aguglia and Christina Ann Johnson filed under Item 151
5. Submitted at City Council – Proposed condition revisions to Items 154 and 155 submitted by Attorney Mark Fiorentino filed under Item 151
6. Submitted at City Council – Twenty-nine (29) protest letters submitted by Matthew Brown filed under Item 151

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 151 [GPA-1077] for all related discussion.

(4:27 – 4:55)

5-3143/6-1

CONDITIONS:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain West Master Development Plan (MOD-3074) to Medium-Low Density Residential and a General Plan Amendment (GPA-3077) to PCD (Planned Community Development) by the City Council.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 153 – ZON-2667

CONDITIONS – Continued:

2. A Site Development Plan Review application (SDR-2669) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the developer to the north of this site and submit a plan for approval by the City Engineer for the promulgation or termination of Gilmore Avenue. Dedicate or vacate the portions of Gilmore Avenue and the Gilmore Channel as necessary per the approved plan concurrent with development of this site or prior to the issuance of any permits as determined by the Department of Public Works. Construct any half-street improvements including appropriate overpaving on Gilmore Avenue as required per the approved plan concurrent with development of this site.
4. Dedicate 20 feet of right-of-way along parcels 137-12-201-014 & 137-12-201-010 and 20 feet that transitions to 30 feet of right-of-way along a portion of parcel 137-12-201-011, including a circular cul-de-sac terminus, adjacent to this site for Gowan Road.
5. Construct half-street improvements including appropriate overpaving if legally able on Gowan Road adjacent to this site concurrent with development of this site.
6. An update to the Lone Mountain Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 153 – ZON-2667

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE RELATED TO GPA-3077, MOD-3074 AND ZON-2667 - PUBLIC HEARING - **VAR-3081 - ASTORIA HOMES ON BEHALF OF ASTORIA LONE MOUNTAIN 30, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW 76,865 SQUARE FEET OF OPEN SPACE WHERE 100,624 SQUARE FEET IS REQUIRED FOR A PROPOSED 284 LOT SINGLE FAMILY DETACHED CLUSTER DEVELOPMENT on 30.85 acres approximately 1,045 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN: 137-12-201-004, 010 and 014 and a portion of 137-12-201-011), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [Proposed: PD (Planned Development)] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.**
City Council Meeting**3****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.**
City Council Meeting**0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letters from Edward Aguglia, Adam Aguglia and Christina Ann Johnson filed under Item 151
5. Submitted at City Council – Proposed condition revisions to Items 154 and 155 submitted by Attorney Mark Fiorentino filed under Item 151
6. Submitted at City Council – Twenty-nine (29) protest letters submitted by Matthew Brown filed under Item 151

MOTION:**BROWN – APPROVED subject to conditions and deleting Condition 3 – UNANIMOUS****MINUTES:**

NOTE: See Item 151 [GPA-1077] for all related discussion.

(4:27 – 4:55)

5-3143/6-1

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 154 – VAR-3081

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2667) and Site Development Plan Review (SDR-2669).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund. The applicant is to work with staff to determine the contribution amount to the Park CIP Fund. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3077, MOD-3074, ZON-2667 AND VAR-3081 - PUBLIC HEARING - **SDR-2669 - ASTORIA HOMES ON BEHALF OF ASTORIA LONE MOUNTAIN 30, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A PROPOSED 308 LOT SINGLE FAMILY DETACHED CLUSTER DEVELOPMENT on 30.85 acres approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN: 137-12-201-004, 010, 014 and a portion of 137-12-201-011), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [Proposed: PD (Planned Development)], and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letters from Edward Aguglia, Adam Aguglia and Christina Ann Johnson filed under Item 151
5. Submitted at City Council – Proposed condition revisions to Items 154 and 155 submitted by Attorney Mark Fiorentino filed under Item 151
6. Submitted at City Council – Twenty-nine (29) protest letters submitted by Matthew Brown filed under Item 151

MOTION:

BROWN – APPROVED subject to conditions and amending Condition 7 to read as follows:

7. *The applicant shall maintain the ability to provide access to the multi-use transportation trail located along the western side of the Beltway. The applicant will provide such access within 60 days of receiving notice from the City that the City has obtained the authority necessary to allow access to the trail.*

– UNANIMOUS

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 155 – SDR-2669

MINUTES:

NOTE: See Item 151 [GPA-1077] for all related discussion.

(4:27 – 4:55)

5-3143/6-1

CONDITIONS:

Planning and Development

1. A Major Modification to the Lone Mountain West Master Development Plan (MOD-2579) to ML (Medium-Low Density Residential) and a Rezoning (ZON-2667) to a PD (Planned Development) Zoning District shall be approved by the City Council at a Public Hearing.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 2,580 square feet, minimum distance between buildings of 7 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 8 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 9 feet on the corner side, and 3 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect full independent vehicular access to both garage spaces in all units.
7. The applicant shall provide evidence of an agreement with Clark County, that the Multi-Use Transportation Trail required on the Nevada Power easement along but outside the western boundary of this site, and within and along the eastern boundary of the property, as shown on Map 8 of the Transportation Trails Element of the Master Plan and on Map 2 of the Interlocal Joint Parks and Trails Plan trail may be located along the western side of the Beltway, within the right-of-way, on the east boundary of the site. In the absence of such an agreement, the applicant is required to show the trail alignment within the proposed site plan area. If the trail is ultimately located within the Beltway right-of-way, the developer of this site shall be responsible for the costs of developing the portion of the trail within the Beltway right-of-way that is adjacent to the subject site.
8. Patio covers shall conform to the setback requirements contained in Title 19.08.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 155 – SDR-2669

CONDITIONS – Continued:

9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The landscape plan shall demonstrate compliance with the Plant Palette listed in Appendix B of the Lone Mountain West Master Development Plan.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. Air conditioning units shall not be mounted on rooftops.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. A Petition of Vacation to vacate the existing public sewer easement along the eastern perimeter and a portion of the existing 40 foot BLM Grant along the Gowan Road alignment per document 20000321:00169 shall be submitted and acted upon by City Council prior to the issuance of any permits for this site. Said Petition of Vacation must record prior to the recordation of a Final Map overlying or abutting the area to be vacated. If said vacation is not approved, a new Site Development Plan shall be submitted acknowledging the existing public sewer easement and BLM Grant within the boundaries of this site.
17. Provide a mountable curb where private drives access private streets.
18. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Planning and Development Department
Item 155 – SDR-2669

CONDITIONS – Continued:

19. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
20. Site development to comply with all applicable conditions of approval for ZON-2667 and all other subsequent site-related actions.
21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3066 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request to amend Map 4 of the Centennial Hills Sector Plan FROM: EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) TO: ML-TC (MEDIUM-LOW RESIDENTIAL-TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

No Action

MINUTES:

ROBERT GENZER, Director, Planning and Development Department, indicated that Item 155A [GPA-3066], Item 155B [ZON-3071], Item 155C [SUP-3073] and Item 155D [SDR-3079] were added to the agenda. However, since that time, it was determined that the Planning Commission announced these items would be heard on December 3, 2003; therefore, no action can be taken. Further, on December 3 there will be a request to hold these items in abeyance to December 17, 2003 at the request of COUNCILMAN MACK since he will be absent from the December 3 meeting.

No one appeared in opposition.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-3066 - PUBLIC HEARING - ZON-3071 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Rezoning FROM: U (UNDEVELOPED) [EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

No action

MINUTES:

ROBERT GENZER, Director, Planning and Development Department, indicated that Item 155A [GPA-3066], Item 155B [ZON-3071], Item 155C [SUP-3073] and Item 155D [SDR-3079] were added to the agenda. However, since that time, it was determined that the Planning Commission announced these items would be heard on December 3, 2003; therefore, no action can be taken. Further, on December 3 there will be a request to hold these items in abeyance to December 17, 2003 at the request of COUNCILMAN MACK since he will be absent from the December 3 meeting.

No one appeared in opposition.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO GPA-3066 AND ZON-3071 - PUBLIC HEARING - SUP-3073 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

No Action

MINUTES:

ROBERT GENZER, Director, Planning and Development Department, indicated that Item 155A [GPA-3066], Item 155B [ZON-3071], Item 155C [SUP-3073] and Item 155D [SDR-3079] were added to the agenda. However, since that time, it was determined that the Planning Commission announced these items would be heard on December 3, 2003; therefore, no action can be taken. Further, on December 3 there will be a request to hold these items in abeyance to December 17, 2003 at the request of COUNCILMAN MACK since he will be absent from the December 3 meeting.

No one appeared in opposition.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3066, ZON-3071 AND SUP-3073 - PUBLIC HEARING - **SDR-3079 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP** - Request for a Site Development Plan Review FOR A PROPOSED 195 UNIT SINGLE FAMILY CLUSTER DEVELOPMENT on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

No Action

MINUTES:

ROBERT GENZER, Director, Planning and Development Department, indicated that Item 155A [GPA-3066], Item 155B [ZON-3071], Item 155C [SUP-3073] and Item 155D [SDR-3079] were added to the agenda. However, since that time, it was determined that the Planning Commission announced these items would be heard on December 3, 2003; therefore, no action can be taken. Further, on December 3 there will be a request to hold these items in abeyance to December 17, 2003 at the request of COUNCILMAN MACK since he will be absent from the December 3 meeting.

No one appeared in opposition.

There was no further discussion.

(1:37 – 1:52)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

SUP-2904, SUP-2975, SUP-3038, SUP-3073, SUP-3114, SUP-3115, SUP-3117 AND SUP-3131, VAR-3040 – 12/3/2003 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

DEPARTMENT: CITY CLERK

DIRECTOR: **BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

155A GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3066 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request to amend Map 4 of the Centennial Hills Sector Plan FROM: EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) TO: ML-TC (MEDIUM-LOW RESIDENTIAL-TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

155B REZONING RELATED TO GPA-3066 - PUBLIC HEARING - ZON-3071 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Rezoning FROM: U (UNDEVELOPED) [EC-TC (EMPLOYMENT CENTER MIXED-USE-TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

155C SPECIAL USE PERMIT RELATED TO GPA-3066 AND ZON-3071 - PUBLIC HEARING - SUP-3073 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS WITHIN TOWN CENTER adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

155D SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3066, ZON-3071 AND SUP-3073 - PUBLIC HEARING - SDR-3079 - D.R. HORTON, INC. ON BEHALF ROBERT J. WUESTE FAMILY, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 195 UNIT SINGLE FAMILY CLUSTER DEVELOPMENT on 25.68 acres adjacent to the northwest corner of Gilcrease Avenue and Fort Apache Road (APN: 125-18-501-004, 005, 010, 011, 012 and 013), U (Undeveloped) Zone [EC-TC (Employment Center Mixed-Use - Town Center) General Plan Designation] [Proposed: ML-TC (Medium-Low Residential - Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

SEE PAGES 155A, 155B, 155C and 155D.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 19, 2003

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

PATRICIA BROWN, 507 Prescott, lodged a complaint against the manner in which the City's alternative work program is administered due to the mistreatment she suffered at the hands of one of the instructors. MAYOR GOODMAN indicated the Council could not take action under this portion of the meeting but asked that MS. BROWN contact the City Manager's Office to be referred to the appropriate individual to handle the matter.

(5:49 – 5:53)

6-2778

JACK AVERY, 7235 Racel, inquired as to whether single or two-story houses were to be built in the Silverstone/Mountain Spa development on Racel Avenue and Tenaya Way and questioned the proposed location of the trail. COUNCILMAN MACK indicated he would have his liaison speak with MR. AVERY regarding these issues after the meeting since he believed most of them had been resolved.

(5:53 – 5:55)

6-2959

DOROTHY BARNES, homeless Las Vegas resident, complained that her identity had been stolen by a government agency, which was jeopardizing her children and grandchildren. She believed she should be treated justly and fairly.

(5:53 – 5:55)

6-2959

BROTHER DAVID BUER appeared as an advocate for the homeless to bring to the Council's attention the need for winter shelter. The County is making an effort to acquire some shelter and he hoped the City would join this effort. Nevertheless, there would not be enough beds for the homeless men and women this winter. He made a special appeal for a large building that could be used for shelter. The County was looking at an old bomb shelter in Blue Diamond or possibly the National Guard Armory. Also, there is an existing empty shelter building in the community, which is planned for renovation to offices in January. If the renovation could be delayed for three months to May, that building could be used for winter shelter and would also allow time to find a permanent building. He introduced ALDO, a homeless man whom he had brought with him to the meeting today.

City of Las Vegas

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Citizens Participation

MINUTES – Continued:

ALDO, homeless citizen of Las Vegas, indicated he was from New Haven, Connecticut and has lived in Las Vegas for 21 years. He formerly worked at Nellis Air Force Base for 20 years in the Non-Commissioned Officers Club. He advised that he became homeless after his wife passed away due to cancer approximately three years ago. He hoped to better himself and get his own apartment when he started receiving social security after he turned 62 years old on Christmas Eve.

MAYOR GOODMAN asked ALDO if he had sought help at Catholic Charities, to which ALDO replied he had been to Catholic Charities and the Salvation Army but those organizations could only help to a certain extent.

(5:57 – 6:01)
6-3231

PATRICIA MARTINELLI-PRICE, homeless advocate, indicated she was born and raised in Las Vegas with a family who taught her to respect and help those less fortunate than herself. She indicated ALDO had been sleeping on the sidewalks for many, many months because there was no room for him in the shelters. She emphasized that, once again, there is insufficient emergency winter shelter. She requested the assistance of the City Council with this problem and indicated that the Cities of Henderson and North Las Vegas, as well as the County, were rendering their assistance. She made a plea for help to the citizens of Las Vegas in general. She noted that many of the homeless are veterans, handicapped, terminally ill and victims of domestic violence.

MAYOR GOODMAN reiterated that no action could be taken, but he requested that someone take ALDO to Catholic Charities and obtain some empirical data as to why he could not be accepted there. MS. MARTINELLI-PRICE indicated that ALDO would be accepted if he were accompanied by an advocate because shelter personnel know the advocates and do not want to cause trouble. However, if he went by himself he would be turned away.

COUNCILWOMAN L.B. McDONALD stated that, as a trustee, if an individual sought shelter at Catholic Charities there are beds available. However, there are rules involved and an individual must participate in the work program. If someone is willing to abide by the rules, he or she will be accepted.

(6:01 – 6:05)
6-3463

CELIE PALMER indicated she had been homeless for the past five months and extended a plea for help for the homeless. She emphasized the importance of this problem because many people are getting sick, many are dying, and some are hurting and stealing from each other. Any help the Council could give would be greatly appreciated. MS. MARTINELLI-PRICE added that the homeless are not only exploiting each other but other citizens are exploiting the homeless.

(6:05 – 6:06)
6-3683

City of Las Vegas

CITY COUNCIL MEETING OF NOVEMBER 19, 2003 Citizens Participation

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, commented to COUNCILMAN REESE that Circle Park and Hollingsworth Elementary School needed additional playground equipment. He added that the charrette held relative to Kyle Canyon was very good, making him a total believer. He expressed a desire to hold a charette on lower Fremont within the next year or two.

(6:06 – 6:08)

6-3773

STEPHEN “CAPTAIN TRUTH” DEMPSEY brought the Council reading material. The quote he gave earlier about loving the country and fearing the government originated with the first Vice President and second President of the Constitutional Republic, JOHN ADAMS. Regarding the Mayor’s trip to Boston to speak on ethics in government, he commented on participation by several County Commissioners. The County Manager recently expressed concern with the public’s perception as to integrity in government. There have always been people willing to do anything for money throughout history. That does not make it right. He would name every Council person for failure to act as a result of injuries at the Crazy Horse II. They are failing to serve the public. An acquaintance of his asked whether the Mayor is doing nothing because he is being paid. There are consequences for failing to act.

(6:08 – 6:12)

6-3873/7-1

BRIAN WORSTACK, 8501 West University, confirmed with MAYOR GOODMAN that his home at Durango and Flamingo is County and not within the City of Las Vegas. COUNCILWOMAN McDONALD guessed that his representative would be COMMISSIONER JAMES. He outlined a concern with 16-wheelers parking up and down his street. MAYOR GOODMAN referred him to the County to seek relief.

(6:12 – 6:13)

7-201

GENE COLLINS outlined concern with people planting grass and not keeping up their yards. He hoped that the new renovation project will help older neighborhoods like his. Homeowners need to be responsible.

(6:13 – 6:14)

7-259

COUNCILMAN REESE thanked MR. FARLOW for his input on Circle Park and advised that the project was completely driven by the neighborhoods. Last year Baker Park was renovated, including new playground equipment, at a cost of approximately \$4 million. A young girl contacted him regarding a swing set at Baker Park. Jaycee Park at St. Louis and Eastern was also completely remodeled, spending approximately \$420,000 for redoing playground equipment. The train at that park was also redone. There is no playground equipment at Circle Park because the neighbors did not want it.

(6:14 – 6:15)

7-295

City of Las Vegas

CITY COUNCIL MEETING OF NOVEMBER 19, 2003
Citizens Participation

MINUTES – Continued:

COUNCILMAN WEEKLY encouraged the Council to wish everyone happy Thanksgiving as the last act of the meeting.

(6:15)

7-326

MEETING ADJOURNED AT 6:15 P.M.